ACTA REGIA:

OR,

An ACCOUNT of the

TREATIES, LETTERS and INSTRUMENTS

Between the Monarchs of *England* and Foreign Powers, publiſh'd in Mr. *Rymer*'s *FOEDERA*, which are the Baſis of the *Engliſh* Hiſtory, and contain thoſe Authorities which rectify the Miſtakes that moſt of our Writers have committed for want of ſuch a Collection of Records.

Tranſlated from the *French* of M. RAPIN, as publiſh'd by M. LE CLERC.

With the Heads of the Kings and Queens, curiouſly engrav'd by Mr. *Vandergucht*.

To be Publiſh'd Monthly.

VOL. I.

Beginning with the Reign of *Henry* I. and Continued to the Acceſſion of *Richard* II.

LONDON:

Printed for J. DARBY, A. BETTESWORTH, F. FAYRAM, J. PEMBERTON, C. RIVINGTON, J. HOOKE, F. CLAY, J. BATLEY, and E. SYMON. M.DCC.XXVI.

MVSEVM
BRITAN
NICVM

TO

William Benſon, *Eſq*;



SIR,

ACCORDING to your Commands I have begun the Tranſlation of that Work which you judg'd ſo neceſſary to be render'd into Engliſh.

THE Public Voice, Sir, *juſtifies your Surprize that an Account of that noble* Collection of Records *publiſh'd in our* Metropolis, *has been printed no where but abroad; and that ſo judicious and uſeful an Abridgment of them as that given by Mr.* Rapin, *who ſeems to have been Maſter of the Aim and Motive of every ſingle Act in the* FOEDERA, *ſhould lie ſo long dormant in a Foreign Language.*

AT the ſame time that I attend you, Sir, *with this* Firſt Volume, *I acknowledge*

the Honour you did me in laying the pleasing Task on me. I am sure you'll be so candid as to excuse any small Errors in the Performance; and I hope you'll forgive the Importunity with which I courted the favour of your Patronage, there being nothing that can give me greater Satisfaction than this public Opportunity of thanking you for the many Acts of Friendship with which you have honour'd,

SIR,

Your most obliged and most

devoted humble Servant,

STEPHEN WHATLEY.

MARIE

INTRODUCTION.

BRITISH MUSEUM

THERE *never was yet seen so noble a Collection of publick Acts and Monuments of History as that compil'd by the late Historiographer Mr.* Thomas Rymer, *under the Title of* FOEDERA, CONVENTIONES, LITERÆ, *&c. consisting of the* LEAGUES, CONVENTIONS, LETTERS, *and all the other* PUBLIC ACTS *between the Kings of* England *and all other Emperors, Kings, Popes, Princes or Communities, beginning with the Reign of King* Henry *the First, and ending with that of King* Charles *the First.*

This was an Undertaking worthy of the Generosity of the late Great Queen, and of those able Councils that were about her when it was directed and set on foot: For it is universally allow'd to be a Repository of the best Materials that can be had for embellishing and illustrating the British *History, and that of all Countries in general with which our Crown has negotiated ever since the beginning of the twelfth Century. By this we discover a great*

many Faults, which have eſcap'd the moſt exact Hiſtorians who have wrote of our Affairs ſince that time, both in Facts and Dates. We find ſeveral conſiderable Chaſms in our Hiſtory fill'd up by the help of many ſecret Acts *which were never publiſh'd before, or never came into the Hands of Hiſtoriographers, either before or ſince. We are thereby enabled to diſcover the Anceſtors of many illuſtrious Families of* Europe, *how they conducted themſelves in all Revolutions and Parties in the State; and in fine, we have the Satisfaction to ſee every Fact eſtabliſh'd upon the authentic* Acts *of the ſeveral Reigns, and on ſuch Originals as are indiſputable.*

AFTER this, it cannot be doubted but the Public is infinitely oblig'd both to her Britannic *Majeſty, and to her Miniſtry, who, in the midſt of ſo expenſive a War, generouſly contributed to promote this Undertaking. I own, it was a great Pleaſure to me to ſee ſuch a Regard had to Poſterity, as to put it in a Condition to be better inform'd of paſt Tranſactions than even the preſent Age was till now: This was a Thought we were not to expect but in great Souls, too ſublime to be affected by the Viciſſitude of the Times. In many Places Duſt and Vermin prey upon the few antient Records they have left, till perhaps they are quite deſtroy'd by Fire, or ſome other Accident, while no body laments the*

the Loſs, becauſe it falls on the Indolent, *who deſpiſe the Knowledge of what's paſt or to come, provided they enjoy the Time preſent. But the Philoſophers tell us, That the Curioſity of knowing things paſt, the Attention which a Man gives to it in order to form Rules for his preſent and future Conduct, and the Regard he ſhews to Poſterity, are ſome of the chief Characters which diſtinguiſh Man from the Beaſts of the Field. One of the* Antients, no leſs fam'd for his Knowledge than for his Eloquence, ſays, "That the Difference "betwixt Men and Brutes lies chiefly "here: A Beaſt is only mov'd by the Senſes, "and looks no farther than the Time pre- "ſent, having little or no Perception of "what is paſt, or to come; on the con- "trary, Man being endow'd with Reaſon, "ſees both the Cauſes and Conſequences "of Things, knows their Beginning and "Progreſs, compares Like with Like, and "even joins futurity with the Time pre- "ſent."*

IT was therefore a ſingular Pleaſure to ſee Perſons of the firſt Rank in Britain *correcting the Vice of their Age, and ſetting an illuſtrious Example, which, 'tis to be hop'd, will ſome time or other be follow'd by its Neighbours.*

---

* Inter hominem & belluam hoc maxime intereſt, *&c. Cic. Offic. Lib.* 1. *cap.* 4.

OF

OF all the Hiſtories that were conſulted by Mr. de Rapin Thoyras, *'tis granted by the Editors of his eight Volumes in Quarto, that this valuable Collection was of the greateſt help to him in compiling that large Work; for it enabled him to rectify the Dates in an infinite number of Places, to diſcover a world of Miſtakes in the beſt Writers of all Nations that have treated of our Hiſtory, to paſs a true Judgment on thoſe Articles wherein they happen to contradict one another, and to bring to light a great many Events which other Hiſtorians have not ſo much as mention'd, or but ſlightly touch'd.*

'TIS now above twenty Years ſince the FOEDERA *firſt began to be publiſh'd. In the Year* 1708, *it made ſix Volumes, which are ſince increas'd to ſeventeen large Folios, and have been ſold for a hundred Guineas; there being, I may venture to affirm, not one important Act omitted in it, that the Records of* England *can ſhew in any of the Reigns it mentions.*

WHAT is now propos'd is an Abridgment of this voluminous expenſive Collection, tranſlated from that made by Rapin *himſelf in* Holland, *and publiſh'd in the* French *Bibliotheques of the famous M.* le Clerc, *who being furniſh'd with the* Fœdera *by the late Lord* Hallifax, *one of the principal Promoters of it, lent the ſeveral Volumes to Mr.* Rapin *for that very purpoſe.*

THO

THO it is an Abridgment, 'tis ſo judiciouſly and accurately done, that it has paſs'd the Approbation of all the Curious who have ſeen it; for we have not only the Titles and Pages of the ſeveral Acts recorded by Mr. Rymer, *but a well connected Series of the Events to which they relate; together with many uſeful Remarks, for which we are oblig'd to the learned Publiſher above-mention'd, as well as to his deceaſed Friend* Rapin.

The Diſpoſition as well as Leiſure of the preſent Generation to read modern Hiſtory, *eſpecially ſince the ſtudy of it has been recommended ſo particularly from the* Britiſh *Throne, ſeem very much to encourage the publiſhing of this Work in the* Engliſh *Language, which is intended to come out Monthly, and to be finiſh'd in about a Year. And to make it ſtill further uſeful, the Tranſlator has added ſome Notes from the beſt Authorities, which are not to be met with either in the* Fœdera, *or the* French *Abridgment of it; and he has mark'd the Pages in the Margin, referring to the Originals at large in the* Fœdera.

BRITISH MUSEUM

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KING HENRY THE I.ST

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ACTA REGIA.

NUMB. I.

THE First Volume begins with a Convention at *Dover*, dated *May* 17, 1101, between King *Henry* I. of *England*, surnamed *Beauclerc*, and *Robert* * Earl of *Flanders*; by which the King obliged himself to pay him 400 Marks Sterling *per Annum*, in Fee, on condition of *Robert*'s Engagement, in case of need, to send 500 Horse into *England* to serve the King. And there was another Convention afterwards, the same Year, by which the said Earl obliged himself to furnish 1000 Horse upon the same Terms.

Henry I. *Convention between K.* Henry I. *and* Robert *Earl of* Flanders.

P. 4.

* This Earl was called *Robert* of *Jerusalem*, because of his being at the taking of that City from the *Saracens*, by *Godfrey* of *Bouillon*. In his time, *Flanders* was so afflicted with Plague, Famine, Inundations, and continual Rains, from *October* 1108, to *April* 1109, that many of the Inhabitants were forced to retire into *England*, where they were planted in a Colony in the East Part of the Country, by King *Henry* I. He was the first of the Earls of *Flanders* chose by the Emperors to be Protector of *Cambray*.

AFTER his Return from the Holy Land, he took part with the *French* King, who was called *Lewis the Gross*, against the *English*, and besieged the City of *Mante*, on the *Seine*, then in their Hands; but was trampled under Horses Feet in one of their Salleys, and dy'd of his Wounds at *Arras*, in 1111.

THESE

Henry I. THESE being not the moſt inconſiderable Pieces in the Collection, Mr. *Rymer* has made Remarks upon them in his Preface, that deſerve to be taken notice of; to which we ſhall join others, when we come to the mention of ſome particular Paſſages in theſe two Acts.

AFTER having mentioned the Witneſſes on the Part of the King and Earl, the firſt Act goes on thus:

'ROBERTUS comes Flandriæ, fide & ſacramento aſſecuravit regi Henrico, vitam ſuam, & membra quæ corpori ſuo pertinent, & captionem corporis ſui, ne rex eam habeat ad dampnum ſuum, & quod juvabit eum, ad tenendum & defendendum regnum Angliæ, contra omnes homines, qui vivere & mori poſſint; ſalva fidelitate Ludovico regis Francorum. Ita ſi rex Ludovicus regnum Angliæ invadere voluerit, comes Robertus, ſi poterit, regem Ludovicum remanere faciet; & quæret quocumque modo poterit, conſilio & precibus, per fidem abſque malo ingenio, ſine datione pecuniæ, ut remaneat. Et ſi rex Ludovicus in Angliam venerit, & Robertum comitem ſecum adduxerit, comes Robertus tam parvam fortitudinem hominum ſecum adducat, quam minorem poterit; ita tamen ne inde feodum ſuum erga regem Franciæ forisfaciat.' *i. e.*

ROBERT Earl of *Flanders* ſolemnly ſwears to ſubject himſelf, Life and Member, to King *Henry*, that he ſhall not come to any Damage by him, and that he will aſſiſt him to maintain and defend the Kingdom of *England* againſt all Men living; ſaving his Allegiance to *Lewis* King of *France*: In ſuch manner, that if King *Lewis* offers to invade the Kingdom of *England*, Earl *Robert*, if he can, ſhall prevail with King *Lewis* to forbear, and ſhall for that end uſe all manner of

Advice and Intreaty, without any ſiniſter Intention, or Bribe. And if King *Lewis* ſhall come into *England*, and bring Earl *Robert* with him, the ſaid Earl *Robert* ſhall take as ſmall a Number of Men with him as poſſible: Provided nevertheleſs that he doth not depart from the Fealty which he oweth to the King of *France*. *A.* 1101.

THEN follow certain Conditions, particularly one in theſe Words, *Et ſi quis comes Angliæ, vel alii homines ejuſdem terræ boſiaverint, ita quod rex comitatum, vel valens comitatum amiſerit: i. e.* And if any Earl of *England*, or other Perſons of the ſaid Realm ſhall rebel, ſo as that the King ſhall loſe the County, or the Value thereof, *&c.* There are likewiſe Guarantees on both ſides for this Treaty, who are termed *Obſides, i. e.* Hoſtages: And in the ſecond Act, theſe Guarantees, oblige themſelves to pay 100 Marks for him they are bound for, in caſe he does not obſerve the Treaty. The King of *England* engages on his Part to pay the Earl of *Flanders*, *unoquoque anno* 400 *marcas argenti in feodo*; *i. e.* 400 Marks Sterling every Year, in way of Fealty.

THE Remarks which Mr. *Rymer* makes upon theſe Conventions are, 1. That *Eadmer* the Hiſtorian of that time ſhews that the common People knew nothing at all of the Reaſon why *Robert* came over into *England*; which Reaſon we find in this Inſtrument, and which probably was kept ſecret for fear of offending the King of *France*.

2. THAT the Hiſtorians of *Flanders* miſtook the 400 Marks Sterling for a Tribute, becauſe the King gave it to the Earl of *Flanders*, *in feodo*, as a Fief, by virtue of which the Earl was obliged to do him certain Service, as appears by this original Convention, and by many others; tho ſome Hiſtorians, both ancient and modern, have

Henry I. have treated the matter quite otherwiſe, for want of being well informed of the Fact.

3. That this Act is a more ancient Proof than any the *French* have yet been able to produce, that the old Earls of *Flanders* were Vaſſals to their Kings.

4. That *Lewis* is here nam'd for his Father *Philip* *, becauſe the latter was then excommunicated, upon account of his carnal Commerce with *Bertrade*, Wife to *Fulk* Earl of *Anjou*, tho *Lewis* had not begun to take care of the Affairs of the Kingdom: Which is a Confutation of *David Blondel*, who in his Book *de formula regnante Chriſto*, has aſſerted that the Title of King was never granted to this *Lewis* in any Act whatſoever, during the Life of his Father.

To theſe Remarks Mr. *Rapin* adds, 1. That for all this, King *Philip* is named ſeveral times in the ſecond Convention, probably becauſe this Inſtrument was drawn up in the Interval, when the Biſhops of the *Low Countries* approv'd of the King's pretended Marriage with *Bertrade*: For which it may not be amiſs to conſult the *French* Hiſtorians.

2. That it is remarkable a Penſion is here called *Feodum*, or Fief, a Term ſeldom given to any thing but Lands; from whence it comes to paſs, that a *Fief* is defin'd in Law to be *uſus-fructus rei immobilis, ſub conditione fidei*; *i. e.* The holding of Land upon condition of Fealty. Mean time, 'tis ſpecify'd in both Conventions, that the

* He put away his Wife on pretence that ſhe was too near a-kin, and marry'd another, for which he was excommunicated; but obtained an Abſolution afterwards from the Pope, and a Confirmation of his laſt Marriage. He waſted himſelf by his Debaucherys, and dy'd in 1108, not at all lamented by his Subjects, becauſe he was a great Oppreſſor.

400 Marks Sterling ſhall be given to Earl Robert, *in feodo*, or in Fee, as if it was ſo much Land. *A.* 1101.

IT muſt be obſerv'd by the way, That if any one would undertake to inrich M. *du Cange*'s Gloſſary of Vulgar *Latin*, he would here find a great many new Examples of Words which M. *du Cange* has explain'd; and without doubt many more of which he has ſaid nothing at all. There is a Neceſſity of having either his Book, or *Spelman*'s, for the perfect underſtanding of thoſe Acts. Without ſuch Helps who could imagine that *boſtare* ſignify'd to rebel; that *exonium* ſtood for Moleſtation, *forisfacere* for rejecting, renouncing, or loſing, which occur in the foregoing Acts; and many more ſuch Words that we meet with afterwards?

Source of the French *Language.*

AS the *French* Language, in its preſent State, is deriv'd immediately from the vulgar *Latin*, 'tis there we muſt ſeek for the Etymology of moſt Words, as M. *Menage* plainly demonſtrates, in his Origin of the *French* Tongue. For inſtance, they who are only acquainted with the ancient *Latin* would be at a Loſs to gueſs from whence comes the Expreſſion *il ſera quitte de cela*; but ſuch as have read the foregoing Acts will know that it then meant *quietus erit de illa*; *i. e.* he ſhall not be moleſted on that Head. To inſtance in the Etymology of one Word, which does not derive its Origin from the old *Latin*; the Orthography of the Word *Feodum*, Fief, and the Senſe which it bears in the abovemention'd Acts, perſuade me to believe, that they * who derive that Word from the old *Saxon Feo*, which ſignifies Reward, are in the right.

* *See* Stephen Skinner's Etymologicon, *upon the Word* Fee.

II. HERE

K. *Steph.*

1137. *Pope's Bull for the Church at* Aldgate. *Page* 7.

II. HERE we have a Bull of * Pope *Innocent* II. in the Year 1137, whereby he takes *Aldgate* Church at *London* into his Protection, and confirms the Donations which had been given to it. Mr. *Rymer* has caus'd the Beginning and the End of it to be engrav'd, to pleaſe the Curioſity of thoſe who never ſaw ſuch Inſtruments: There we plainly ſee the Pope's Sign Manual, his Cypher, or thoſe interwoven Letters which he ſubjoin'd to his Name; and laſt of all, his Seal. Its being dated in the Year of our Lord 1137, ſhews, according to the Remark of Mr. *Rymer*, that Father *Papebroch*, the Jeſuit, was miſtaken, when he deny'd that Bulls were dated after that manner before Pope *Eugene* IV. and pretended that thoſe produc'd to diſprove him were fictitious. Father *Mabillon* was in the right to oppoſe him, and this antient Monument is a Proof of it. The ſame thing will appear in a like Bull, granted by Pope *Eugene* III. which is a little lower; and in another by Pope *Honorius*, which is produc'd among the Acts of the Reign of *Henry* III. ſo that we need go no farther for Proofs of it.

P. 11.

P. 227.

1141. *Grant to the Earl of* Hereford. *P.* 8.

IN the Year 1141, the Empreſs *Maud*, Daughter of King *Henry* I. created *Milon* of *Gloceſter*, Earl of *Hereford*; and here we have his Patent, by which we underſtand that the Earldoms of *England*, at that time, were real Fiefs, and not mere Titles as they are now. That Princeſs gave to *Milon* the *Moat of Hereford*, and *all the Caſtle*, with many Prerogatives therein ſpecify'd. 'Tis ſuppos'd that this is the moſt antient

* This Pope had an Interview with the King of *England* in *France*, and would have perſuaded him to take a Voyage into the *Holy Land*.

Charter,



KING STEPHEN

BRITISH MUSEUM

BRITISH MUSEUM



KING HENRY THE II.D

Charter, or Patent, for creating an Earl, of any in Being. *A.* 1153.

Convention between King Stephen *and* Maud's *Son* Henry, *about the Succeſſion.*

FINALLY, The laſt of the Acts that we find here, under the Reign of *Stephen*, is the Convention which he made in the Year 1153, after a long War, with *Henry*, Son to the Empreſs *Maud*, whom he declares for his Succeſſor after his Death, on condition that himſelf ſhou'd enjoy the Kingdom during his Life *. The Hiſtorians of *England* make mention of this Act which Mr. *Rymer* has given at full length.

Acts of K. Henry II. 1154. *Page* 15.

III. AFTER this come the Acts of the Reign of King *Henry* II. call'd *Plantagenet*. The firſt is a Brief dated in 1154, from Pope † *Adrian* IV. wherein he heartily approves of *Henry*'s Deſign to conquer *Ireland*, on condition that every Houſe of that Iſland pay St. *Peter*'s Penny to the Apoſtolical See, according as the King had offer'd to the Pope: But this Conqueſt was not executed till a long time after.

Pope gives him encouragement to conquer Ireland.

IN the Year 1163 there was another Convention at *Dover*, between the King of *England* and his Son on one part, and ** *Thierry* of *Alſace*, Earl of *Flanders*, and his Son, on the other part; by which the Earl of *Flanders* receiv'd five hundred Marks of Silver by way of Fealty, as was ſaid before, on condition that he ſhould ſend a

1163. *Another Convention betwixt our King and the Earl of* Flanders. *P.* 23.

* *See* Polydore Virgil, *in his Account of King* Stephen.

† This Pope was an *Engliſhman*, call'd *Nicholas Breakſpear*, of a mean Parentage, at *Abbats Langley* in *Hertfordſhire*; his Father was a Lay-Brother of the Abbey of *St. Albans*, where he himſelf receiv'd Alms every Day at the Gate, and did much of their Drudgery for it.

** This *Thierry* made four Voyages to the *Holy Land* againſt the Infidels, and had to his firſt Wife the Dowager of *Charles*, call'd the Pious, King of *France*; and to his ſecond, a Daughter of *Fulk* of *Anjou*, King of *Jeruſalem*.

thouſand

Hen. II. thouſand Horſe to the King of *England*, when he had need of them. There is moreover another Convention much like the preceding one,

P. 27. whereby certain *Flemiſh* Lords, Vaſſals to the Earl of *Flanders*, make the like Promiſes to the King of *England*, according to the *Fief*, or Money which they were to receive from him every Year.

1169. IN the Year 1169, there is a very warm Let-

K. Henry's *Letter to the Pope, againſt* Thomas Becket. ter from King *Henry* to Pope *Alexander* III. againſt *Thomas Becket*, Archbiſhop of *Canterbury*; in which the King demands of the Pope, That he abſolve certain Biſhops and Abbats, which the ſaid Archbiſhop had excommunicated. 'Tis

P. 28. ſurprizing that there are no more Acts mention'd relating to the Diſpute betwixt the King and *Becket*; but perhaps they were ſuppreſs'd by the Authority of the Popes, who had a mind that *Becket* ſhould paſs for a Saint, becauſe he had defended the *Liberties of the Church*, as they call'd it, againſt his King.

SEVERAL Acts follow relating to the Affairs

P. 35. of that time, ſuch as the Diſputes which *Henry* had with his Sons, and with a King of *Ireland*;

P. 41. thoſe betwixt the Kings of *Caſtile* and *Navarre*, of

P. 43, &c. which they acknowledge the King of *England* Arbitrator; the Pope's Conceſſions in favour of

P. 54, &c. the Knights Templars of *Jeruſalem*, *&c.*

K. Richard I. IV. RICHARD I. for his exceeding Valour call'd *Cœur de Lion*, Son to King *Henry* II. having reſolv'd to go into the Holy Land,

P. 63, &c. with *Philip* King of *France*, paſs'd ſeveral Acts with him, ſome of which follow.

P. 65. THERE are ſome very ſevere Regulations which he made at *Chinon* in *France*, 1189, for keeping the Soldiers and Sailors in awe, whom he embark'd for that Country. If any one kill'd another

another on Board, he was to be ty'd to the dead Man and caſt into the Sea; if he kill'd him aſhore, he was to be bury'd with him. If a Perſon drew his Knife againſt another, and wounded him, he was to have his Hand cut off. He that ſtruck another with his Hand, was to be duck'd over Head and Ears three times in the Sea. If any one call'd another hard Names, he was to give him the ſame number of Ounces of Silver. Thieves were to have their Heads ſhav'd, to have boiling Pitch dropp'd upon their Crowns; and after having Cuſhion-Feathers ſtuck upon the Pitch, they were to be ſet aſhore in that Figure, at the firſt place they came to. Theſe Puniſhments indeed kept the common Soldiers from quarrelling; but the greateſt miſchief of all proceeded from the Diviſion of the Princes, which render'd moſt of the Voyages beyond Sea fruitleſs. *A.* 1189. P. 65. *His Orders for regulating the Soldiers and Sailors when he went to the* Holy-Land.

HERE we have ſeveral Treaties of King *Richard*, with *Tancred* King of *Sicily*, and *Philip* King of *France*, when he arriv'd at that Iſland in his way to the *Holy-Land*. There is no Piece that informs us what *Richard* did in *Judea*; but we know by Hiſtory, that as he came back, he was arreſted in 1192 by the Archduke of *Auſtria*, and deliver'd up to the Emperor, who wou'd not releaſe him for leſs than a hundred thouſand Marks Sterling, which was then a very great Sum. *His Treaties.* P. 63, &c. 66, to 69. *Impriſonment.*

HERE you have Facts to illuſtrate and ſupport all the Particulars of this Hiſtory. 1. In a Letter from the Emperor *Henry* VI. where he tells how *Richard* fell into the Hands of *Leopold* Archduke of *Auſtria*, who arreſted him, to be reveng'd for an Affront he receiv'd from him at *Ptolemais*, or St. *John d' Acre*, in the *Holy-Land*. 2. In a remarkable Letter from *Vetus de Monte* to the *The Hiſtory of it.* P. 70, &c.

Rich. I. Duke of *Auſtria*, wherein he declares that it was he, and not *Richard*, who had caus'd the Marquis *de Montferrat* to be aſſaſſinated at *Tyre*, becauſe he had put one of his Subjects to Death in order to be Maſter of his Money: and he proteſts that they only caus'd thoſe to be aſſaſſinated who had
P. 72. done them any miſchief. 3. In three Letters
74. from King *Richard*'s Mother, Queen *Eleanor* to
76. Pope *Cæleſtin**, deſiring him to interpoſe his Authority, in order to oblige the Emperor to
P. 80. releaſe the King her Son. 4. In ſome Letters
83. from the ſaid Prince to the Queen his Mother,
84. to the Archbiſhop of *Canterbury*, and to the Nobility of *England*, wherein he tells them the Conditions on which it was agreed he ſhou'd be
P. 84. ranſom'd. After this alſo there comes *Richard*'s Contract with the Emperor, promiſing him a hundred thouſand Marks *Sterling*.

P. 85, 91. ALTHO there were ſeveral Treaties of Peace between *France* and *England* before *Richard* was in the *Holy-Land*, and that there have been ſeveral ſince, of which here are the Copies at length, yet the two Kingdoms were ſoon after this embroil'd. This was the reaſon why *His Treaty with an Earl of* Flanders *againſt* France. *Richard* in 1197, made a League offenſive and defenſive againſt *France*, with *Baldwin* Earl of *Flanders*, which was to be perpetual. The latter in this Treaty talks no longer in the humble Phraſe of a Vaſſal of the King of *France*, as
P. 94. he did formerly, of which the *French* Hiſtorians who have wrote about this Treaty give a Reaſon. Not long after, *Richard* enter'd into a War with *France*, and gain'd ſome advantages over that Nation near *Giſors*, a little Town of *Nor-*
P. 96. *mandy*, of which the King himſelf ſent word to

* This Pope took part with King *Richard* againſt his Barons, and engag'd him in the Croiſadoes for the recovery of the *Holy-Land*.

the

the Biſhop of *Durham* on the 30th of *September* in the ſame Year. *A.* 1197.

Pope *Innocent* III. labour'd to bring the two Kings to an Accommodation; and here we have the Letters which he wrote with that View in 1198. In the end a Truce was concluded, on which there are ſome Acts mention'd which we need not inſiſt on. *P.* 98, 100. *P.* 109, &c.

V. THE Acts paſs'd in the Reign of King *John*, begin with ſome Privileges granted to the Inhabitants of the Iſle of *Oleron* in 1199. There follow a great many particular Acts, which may ſerve for particular purpoſes, or to prove the certainty of Facts or Dates when requir'd, but of no neceſſity to be mention'd here. *P.* 111.

THERE is a very particular Writing of *Sancho* King of *Navarre*, by which he makes a perpetual Alliance with *John* and his Succeſſors, and promiſes to relieve them againſt all, the King of *Morocco* only excepted. This Writing is dated in 1201. Sancho *K. of* Navarre, *his Treaty with K.* John. *P.* 126.

HERE are alſo ſeveral Letters from K. *John* to the Abbats of the *Ciſtertian* Order, and to his Clergy, wherein he calls upon them for aſſiſtance, as well againſt the King of *France*, as to ſupport the Emperor *Otho*. For as the beſt part of his Kingdom was given away to Monks and Churches, ſcarce any but the Clergy were able to furniſh the ready Penny. It came at length to that paſs, that Kings were forc'd to beg Alms as it were of thoſe very Perſons who had enrich'd themſelves by no other means than the Alms of Kings and People. *P.* 129, 132.

'Becauſe 'tis but reaſonable, ſays King *John*, in 'a Letter to the aforeſaid Abbats, dated in '1202. that all the Members in general ſhould 'ſupport and defend the Head, we have thought 'fit to deſire your Society, ſince you were 'found- *K.* John's *Letter to the Clergy for a Supply.* *P.* 132.

K. *John.* 'founded and enrich'd by the Goods and Liberality of our Predeceſſors, to give us free and effectual aſſiſtance to repel the Violence of ſo great an Enemy. We ſhall be much oblig'd to you for it, and ſhall make the utmoſt diſpatch in what your Devotion ſhall think fit to ask of us. Know alſo that we will not draw the Supply you ſhall give us into a Precedent.' *Quia ad defenſionem capitis æquum eſt univerſalem membrorum ſubventionem accurrere, univerſitatem veſtram rogandam diximus quatenus vos qui de bonis & largitionibus Prædeceſſorum noſtrorum fundati eſtis & ditati, ad tanti hoſtis propulſandam violentiam, gratuitum nobis & efficax conferatis auxilium; ita quod vobis inde debeatis grates condignas impendere, et in his, quæ a nobis duxeritis expetenda, devotionem veſtram benignius expedire.*

His Character. HISTORY tells us that King *John* thereby embroil'd himſelf with his Clergy; but he treated the Laity every whit as bad, for he was a covetous ambitious Prince, who aim'd only to inrich himſelf with the Spoils of his Subjects, and obſerv'd no Laws.

Takes the K. of Man *into his Protection.* *P.* 137. THERE's an Act in 1205. where he takes into his Protection the King of *Man*, which is a little Iſland between *England* and *Ireland*. There is another like it not long after in *p.* 234. See moreover *p.* 339.

K. John's *Quarrel with the Pope.* 'TIS known that King *John* quarrell'd with Pope *Innocent* III. becauſe he had without his Conſent procur'd the Election of a Man for Archbiſhop of *Canterbury*, whom the King did not like, and therefore refus'd to own, inſomuch *P.* 143. that the Pope excommunicated him. There is a Letter upon it from the Pope, wherein he complains againſt him for his Diſobedience. It was written in the Year 1207. There's another Letter alſo from the ſaid Pope written in the following Year, upon the ſame Subject, to the *P.* 147. Barons

rons of *England*. In the Year after, the ſaid Pope wrote him a very menacing Letter to oblige him to reſtore the Eſtate of *Berengaria* the Queen Dowager of *England*. There are many other Pieces on this Subject among the Acts of this Reign. *A.* 1213. *P.* 152. *P.* 142, 194, 208, 210, 213.

THE King being under Excommunication, was neceſſitated to reconcile himſelf to the Pope, who in the Year 1213. preſcrib'd the Terms to him, upon which he was willing to receive him, for the Peace of the Church. Mr. *Rymer* has inſerted a Copy of them, together with the Inſtructions of *Pandulph* the Pope's Legat, and other Pieces concerning this Affair. The moſt remarkable and ſcandalous thing of all was, the Reſignation he made of the Kingdoms of *England* and *Ireland* to the Pope, which Mr. *Rymer* has taken from a Manuſcript of the *Cotton* Library. This King, who was as cowardly in Adverſity as he was inſolent in Proſperity, there ſays, 'That without Force or 'Fear, but of his own Free-Will, and by the 'common Conſent of his Barons, he offers and 'freely gives to God, to the Holy Apoſtles, 'St. *Peter* and St. *Paul*, to the Holy Roman 'Church his Mother, to his Lord Pope *Innocent* 'III. and to all his Catholic Succeſſors the whole 'Kingdom of *England*, and all the Kingdom of '*Ireland*, with all their Rights and Appurtenances, for the Remiſſion of all his Sins, and 'thoſe of his Family, whether Living or Dead. 'That from thenceforth he receives and holds 'his Kingdoms from God, and from the Roman Church as its Feudatary.——That he had 'publickly perform'd Homage for them to the 'Church——And that he had oblig'd his Succeſſors to do the like——That for a Proof of 'ſuch Conceſſion, he wou'd have a thouſand

His Reconciliation and Submiſſion to the Pope. *P.* 166, 167.

His Reſignation of England *and* Ireland *to his Legat.* *P.* 176.

K. *John.* 'Marks *Sterling* paid to the Pope out of his 'Revenues ariſing from his two Kingdoms, be- 'ſides St. *Peter's* Penny*——And if any of his 'Succeſſors fail'd herein, he ſhou'd forfeit his 'Right to the Kingdom.'

Pope's Civility to him. *P.* 177. AFTER this there follows a kind of Oath of Fidelity, which he took to the Pope as his Vaſſal. There is no cauſe to wonder if the Pope was extraordinary civil to him afterwards, and took his part againſt the Barons of the Kingdom, who wou'd oblige him to govern according to the Laws, and to whom he was forc'd to grant what they call *Magna Charta*. Mr. *Rymer* has inſerted a great many Briefs from *Innocent* III. in his Favour, which are only owing to that King's mean-ſpirited Behaviour. Among other things the Pope granted him as an extraordinary Favour, by a Letter dated in the Year 1214. that he cou'd not be excommunicated but by expreſs Order from his Holineſs.

P. 177, *to* 181.

P. 183.

P. 201. Magna Charta. HERE we have a remarkable Act touching the Execution of *Magna Charta* made in 1215. the very Year in which the Charter was granted. By this Act the King gives a Leaſe of the City of *London* to the Earls and Barons of his Kingdom, till the Day of the Aſſumption of the Virgin *Mary*, in the 17th Year of his Reign. He alſo reſigns the Tower of *London* to the Archbiſhop of *Canterbury*, to keep it till the Term aforeſaid; and neither the City nor Tower was oblig'd to receive any of the King's Forces. Mean time, the whole Kingdom was to take an Oath to the Barons, to be obedient and aſſiſting to the 25 Barons choſe out of their Body, on purpoſe to take care of the Obſervation of the

* SEE *Henry Spelman's* Gloſſary upon *Romeſcot*, where it appears that this Tribute conſiſted of 300 Marks *Sterling*, and that it was much more antient than this Reign.

Peace

Peace and Privileges granted them by the King, and confirm'd by his Charter. And all that the King and the Barons thought fit, was to be reſtor'd. If Reſtitution was made in this Term, or if the King did not oppoſe it, the City and Tower were to be deliver'd up to him without delay. But if it was not perform'd in the time prefix'd, the Barons were to keep the City, and the Archbiſhop the Tower of *London*, till it was done; and in the mean time every one was to recover the Caſtles and Lands which he held before the War betwixt the King and the Barons. *A.* 1215.

HOWEVER the King wou'd not perform his Promiſe, and got himſelf abſolv'd by the Pope, from the Oath he had taken to reſtore the antient Laws, and to obſerve *Magna Charta*. The Pope did not care how much the King tyranniz'd over his Subjects, provided he was but ſubmiſſive to the Church, which had conſequently the greateſt ſhare in that Arbitrary Power which the King pretended to claim.

HERE therefore we have, 1. A Letter of the ſame Year 1215, wherein the Pope entirely diſapproves of the Agreement which had been made between the King and the Barons. 2. Another in which he exhorts the Barons to renounce that Agreement. 3. A Letter from the King to the Pope, wherein he complains, that the Barons were not ſo ſubmiſſive to him ſince he was become the Pope's Feudatary, and that they blam'd him for it in an eſpecial manner; wherefore he intreats the Pope to take care of a Kingdom which was his. 4. A general Excommunication againſt the Barons of *England*, becauſe they diſturb'd a Kingdom that belong'd to the Church of *Rome*. 5. Another more particular than the former. *P.* 203, &c. *Letters betwixt the Pope and the King*, *P.* 205. *P.* 207. *P.* 208. *P.* 211.

K. *John.* In this manner did the Court of *Rome* favour the Tyranny of a very wicked King, when the Laity only were to be the Sufferers by it; but ſhe oppos'd ſome Attempts which he had made, as ſhe pretended, againſt the Rights of the Church, with that Violence, as to excommunicate him. If we compare theſe Acts with *Polydore Virgil*, and other Writers of the Hiſtory of *England*, it will evidently appear, That the ſame may be of great Service to correct and ſupply many Errors and Defects, which 'tis not ſo material to mention here.

K. Henry III. VI. THE reſt of the Acts of this Volume relate to the Reign of *Henry* III. which laſted 56 Years, taking in the time that *Simon de Montfort* rul'd in his Name, while he kept him Priſoner.

P. 215. THE firſt Act is a Letter dated *Anno* 1216, in which *Henry* acquaints his Chief Juſtice of *Ireland*, of the Death of his Father, and his Acceſſion to the Crown. There is a great number of Acts here relating to both public and private Affairs, which are of vaſt Service to thoſe who are to write a Hiſtory of that Reign.

Pope's Bull in favour of Scotland, *P.* 227. ANNO 1218, Pope * *Honorius* III. ſent a Bull to *Scotland*, in which he grants divers Privileges to that Kingdom, *viz.* That no Perſon could put it under an Interdict, except the Pope and his Legats; that none but a Native of *Scotland* ſhould act there as a Legat, unleſs he was one choſe by the Apoſtolical See; that if Quarrels happen'd in the Kingdom about the Right to the Crown, no Foreigner ſhou'd judge thereof, without Appeal to the Pope; and, that the Im-

* THIS Pope excommunicated the Emperor *Frederic* II. and order'd Kneeling at the Elevation of the Hoſt.



KING HENRY THE III.D

BRITISH MUSEUM

munities and Privileges granted by the preceding Popes, ſhould always ſubſiſt. 'Tis evident that in the main, the Pope, according to the Cuſtom of that Age, took more for himſelf than he gave to the *Scots*, and that at the ſame time he would have it all eſteem'd as ſpecial Favour. This is one of thoſe Bulls, of which, as we ſaid before, Mr. *Rymer* has caus'd the Beginning and End to be engrav'd, to ſhew the Form thereof to thoſe who never ſaw them. *A.* 1218.

HE obſerves alſo in his Preface, that *George Buchanan*, in the ſeventh Book of his Hiſtory of *Scotland*, was in the wrong to charge *Henry* III. King of *England*, with Breach of his Promiſe to match the two Siſters of *Alexander* King of *Scotland*, his Brother-in-Law, within a certain time, becauſe it appears by two Acts in this Collection, that they were actually marry'd. There is firſt of all a Declaration of King *Henry*, dated *June* 15. 1220. by which he promiſes to give his eldeſt Siſter *Joan*, when ſhe came into his Hands (for ſhe was then with the Earl of *March* in *France*) to *Alexander* King of *Scotland*, by *Michaelmas* Day following; or if he could not get her over, that then he would match his youngeſt Siſter *Iſabel* to the ſaid King *Alexander* in the ſpace of a Fortnight after; and that he wou'd match the two Siſters of the ſaid Prince, who were *Margaret* and *Iſabel*, in *England*, within a Year, reckoning from St. *Dennis*'s Day 1220. If *Henry* broke his Word, it was only in point of Time; becauſe it appears by an Act of *May* 12. 1225. that the ſaid *Iſabel* was then marry'd to the Son of the Count *le Bigod*; and by another, dated *November* 13. 1232. that the other Siſter, *Margaret*, was marry'd to *Hubert du Burgo*.

A Miſtake of Buchanan's *in the Hiſtory of this King, rectify'd.*

P. 278, 327.

P. 240.

P. 278.

P. 327.

IT appears likewiſe by the Acts of the Year 1221, that the Earl of *March*, who marry'd the

P. 252, 253.

Mo-

Hen. III. Mother of *Henry* King of *England*, after the Death of his Father, ſent him his Siſter *Joan*, and that ſhe was marry'd to the King of *Scotland*. This ſeems to have been the Motive of King *Henry*'s reſtoring to his Mother the Lands that were aſſign'd to her in *England* for her
P. 253. Dowry, as appears by two Acts of the Year 1222. Nevertheleſs they had Diſputes afterwards, in which the Pope intermeddled, as may be ſeen by other Acts.

A Prince of Wales diſturbs K. Henry, and is excommunicated by the Pope.

THE Kings of *England* were frequently embroil'd with the Princes of *Wales*; and in this Volume we have a great number of Acts relating to *Lewelyn*, a Prince of that Country, who was often at Variance with King *Henry*, tho he had marry'd that King's Siſter. As the Popes were always for weaving themſelves as far as poſſible into the Concerns of temporal Princes, Pope *Honorius* excommunicated *Lewelyn*
P. 261. in 1223, in caſe he did not ſatisfy the King of *England*. He alſo took this King's part very often againſt others, probably becauſe of the Submiſſion which he paid to the See of *Rome*: Of this there are a great many Inſtances in the Acts of his Reign.

Marriage of the K's Siſter to the Emperor.

THERE we have likewiſe the Marriage Contract between the Emperor *Frederic* II. and *Iſabel*, Siſter to King *Henry*, made in 1236, and divers other Pieces relating to the ſame Affair. It appears by the Acts, that the Perſon ſent over hither
P. 353. on this Errand was one *Peter de Vinea**, alias *des*
P. 362. *Vignes*.

* THE Emperor's Chancellor and moſt familiar Counſellor, who afterwards with others of the Emperor's Servants was ſuborn'd to murder him, and had accordingly provided a Phyſician and a Doſe; but the matter being diſcover'd, the Doctor was hang'd, and *Peter* had his Eyes put out, and was carry'd up and down, by the Empe-

Vignes. King *Henry* promiſed his Siſter 30,000 Marks *Sterling* in Marriage, and wrote to Pope *Gregory* IX. to intreat him to engage for him to the Emperor for that Sum, ſubmitting himſelf to the Eccleſiaſtical Cenſures if he did not pay it within the Terms ſtipulated; and it appears by the Sequel, that he actually paid the whole Sum. By this Marriage the Emperor had a Son nam'd *Henry*, to whom he gave the Iſland of *Sicily*, as appears by an Act of the Year 1237. Mr. *Rymer* complains in his Preface, of ſome Hiſtorians who have not vouchſafed to make mention of this Marriage of *Frederic*, or of his Son *Henry*; tho he was a Youth of the moſt promiſing Genius and Perſon, according to *Matth. Paris*, and three *Italian* Writers, the only Hiſtorians, according to *Rymer*, who have taken notice of him.

A. 1236.

P. 362. *The Pope K.* Henry's *Bondſman for her Dowry.*

P. 373. *Her Iſſue.*

P. 374.

HERE is a Brief or Letter from Pope *Gregory*, dated *July* 7. in the ſame Year, *viz.* 1237, in which he demands of *Henry* the *Yearly Quit-Rent of the thouſand Marks Sterling* of the preceding Year, which had not been paid. There is a like Compliment from *Innocent* IV. his Succeſſor, in the Year 1247.

Pope's Demands upon K. Henry.

P. 374.

P. 444.

THE Pope in requital, took part in all the Quarrels of the King of *England*; and here we have a Declaration of the above Year, *viz.* 1237. for putting an end to all the Diſputes which the King of *England* had with the King of *Scotland*. This Reconciliation was made in pre-

P. 374, &c.

Emperor's Command, thro moſt of the Cities of *Italy*, to make known the Deſign, till he came to *Piſa*, where in Deſpair he daſh'd out his own Brains. See *Lib.* 8. *cap.* 14. of *Albert Krantz*, Doctor of Laws and Divinity, and Dean of the Church of *Hamburg*, who liv'd in the fifteenth and ſixteenth Centuries, was a Man of great Piety as well as Learning, and writ ſeveral Books.

Hen. III. fence of the Pope's Legat, and was ſign'd, according to Cuſtom, by many Biſhops and Barons of *England*. What is ſurprizing here, is, that the very next Piece is a Letter from the King
P. 377. of *Scotland* to the Pope, whom he calls *Innocent*, tho the then Pope's Name was *Gregory*, and *Innocent* was his Succeſſor.

Emperor Frederic's *Quarrel with the Pope.*
P. 382, &c.

THE Emperor and the Pope quarrel'd not long after; and here we have very bitter Complaints of * *Frederic* againſt the Pope, and againſt the *Engliſh* too, who ſuffer'd the Pope's Excommunication denounc'd againſt him, to be publiſh'd in their Kingdom. 'Tis pity that there were not more Facts in the Emperor's Writings, and leſs of the Rhetoric of that time, which is by no means pleaſant to read. It appears by the Emperor's Complaint, that his Brother-in-Law, the King of *England*, was very much inclin'd to favour the Pope, who perhaps, to reward him, wrote over into *England* the next Year, which was 1239, to order that no Perſons diſagreeable to the King, ſhould be elected to the Sees
P. 387, 388. of *Wincheſter* and *Durham*; for at that time of day the King did not dare to nominate to Biſhopricks. There are other Letters from the ſame Emperor, wherein he acquaints *Henry* of
P. 393. his Succeſs in the War which he carry'd on in *Italy*, and afterwards of the Death of his Siſter
P. 399. *Iſabel*, whoſe Marriage we have already mention'd.

* DR. *Nicholſon* ſays, That this Emperor was Maſter of the *Greek*, *Latin*, *German*, *Italian*, and the *Turkiſh* Languages; and underſtood moſt Arts and Sciences; that he was equally wiſe and brave, and ſtood out no leſs than five of the Pope's Excommunications. The Story of this noble Emperor, and of his Controverſy with the Pope, whom he deſcrib'd to be the *Antichriſt*, is at large in the firſt Volume of the *Book of Martyrs*.

NOT

NOT to inſiſt upon the Acts relating to *France*, with which Nation *England* always had ſome Quarrel or other, nor on thoſe relating to the Principality of *Wales*, which was not yet fallen into the Hands of the Kings of *England*, there's a great number of Acts relating to both, which conſider'd indeed diſtinctly, are of no great Importance, but, are of vaſt Uſe to ſuch as write the Hiſtory of that Reign, were it only to fix the Dates, and to range the Events in order of Time. *A.* 1250.

IN 1250, Pope *Innocent* IV. publiſh'd a Bull for a Croiſado, which is in this Collection, together with other Briefs relating thereunto; and the Hiſtory of that time informs us, that they were not without effect. There is another Bull to the ſame purpoſe, which was iſſu'd *Anno* 1252, and other Acts concerning the ſame thing. The Popes were very glad to ſend the Weſtern Princes into *Aſia*, becauſe in their Abſence they had more Authority in their Dominions, and becauſe thoſe Princes commonly returning Beggars from beyond Sea, they were more ſubmiſſive to the See of *Rome*, than if they had been in a better Condition. *P.* 452 *to* 457, &c. *Popes political Reaſon for their Croiſadoes.* *P.* 468, &c.

BESIDES the thouſand Marks *Sterling*, which *England* paid every Year to the Pope, the Clergy of this Kingdom complain'd in 1252, that the Court of *Rome* drew away fifty thouſand Marks more for the Grant of Benefices. * *Innocent* *Engliſh Clergy's Complaints againſt the Pope's Exactions,* *P.* 471.

* THIS Pope was a violent Perſecutor of the learned and pious *Groſthed*, Biſhop of *Lincoln*, for calling him Antichriſt: and *Matth. Paris*, *Ceſtrenſis*, and other Hiſtorians of that time, ſay, That he was frighten'd by the Biſhop's Apparition after his Death, ſummoning him to Judgment; and that he thereupon ſicken'd and languiſh'd for a ſhort time, till he dy'd. He firſt inſtituted Cardinals red Hats.

wrote

Hen. III. wrote a Letter upon it to pacify the Complaints of the *Engliſh*; but in his Writings there's more Flattery than Sincerity, according to the Cuſtom of the Church of *Rome*. There are alſo ſeveral of this Pope's Letters relating to the Diſſolution of the Marriage betwixt the King of *England* and the Daughter of the Count *de Ponthieu*, on pretence that ſhe was his Couſin in the fourth Degree; and likewiſe to the Confirmation of his Marriage with *Eleanor*, Daughter of the Earl of *Provence*.

After ſome Diſputes with the King of *Caſtile*, the King of *England* made a perpetual Alliance with him in 1254, *contra omnes homines de mundo, ſalva fide Eccleſiæ Romanæ*; *i. e.* againſt all Men in the World, ſaving his Allegiance to the Church of *Rome*. There are ſeveral Pieces upon this Article, very proper to illuſtrate the Hiſtory of that Time.

P. 503, 504, *to* 510.

Conrad, King of *Naples*, and Son to *Frederic* II. having put to death his Brother *Henry* King of *Sicily*, the King of *England*'s Nephew, he gave advice of it to his Uncle in 1254, by a Letter, wherein he pretended to be very much griev'd for his unhappy End. Pope *Innocent* gave the Kingdom of *Sicily* to *Edmond*, Son to our King of *England*, who was as yet a Child; and he left no Stone unturn'd to engage his Father to put himſelf in poſſeſſion of it, as may be ſeen in many Acts of that Reign; and even order'd the Clergy of *England* to borrow Money for this Prince upon their Church-Livings: all which Money was ſquander'd away by the ſaid Pope, who dy'd about the latter end of the Year, and ſo the whole Project was diſconcerted.

P. 514.

P. 511, *to* 518.

K. of Caſtile's *Reſignation of* Gaſcoigne *to our Prince* Edward.

Edward, eldeſt Son to the King of *England*, having marry'd *Eleanor*, Siſter to *Alphonſus* King of *Caſtile*, the latter yielded up to *Edward*

ward all his Pretenſions to *Gaſcoigne* by certain Letters Patent, of which Mr. *Rymer* has caus'd a part to be engrav'd. There's a Gold Seal of the Weight of about a Mark *Sterling*, fix'd to this Patent, of which *Matth. Paris* makes ſpecial mention: there are likewiſe other very particular Ornaments. Mr. *Rymer* was of opinion, that this is an Act not unlike thoſe Privileges which are call'd in *Spaniſh*, *Privilleios Rodados*, from the Mark of a Wheel in the Royal Signature. *A.* 1255 *P.* 531.

Alexander IV. who ſucceeded *Innocent* IV. wrote ſeveral Bulls and Briefs in the beginning of his Pontificate, which he ſent into *England*. He could not reſt till he had depriv'd *Mainfroi* or *Manfred*, natural Son to *Frederic* II. of *Sicily* and the Kingdom of *Naples*, which he had made himſelf Maſter of by putting *Conrad* to death; and therefore he chang'd the Vow which the Kings of *England*, *Norway*, &c. had made to go to the *Holy-Land*, into a Vow to conquer *Sicily* and the Kingdom of *Naples*, in favour of the Church. *P.* 536, &c. *P.* 548, &c.

There follow a great many Acts proper to illuſtrate and confirm the Circumſtances of this Undertaking, particularly a Letter from the King in 1256, to certain Cardinals, wherein he ſays, That the Barons of his Kingdom thought the Conditions upon which the Pope had engag'd him to go and take poſſeſſion of the Kingdom of *Sicily* very hard; namely, that he ſhou'd go thither in Perſon before the Feaſt of St. *Michael* next enſuing, or ſend a Captain to command the Army with 135,541 Marks *Sterling*, or elſe the Treaty ſhou'd be of no effect, the King ſhould be excommunicated, and the Kingdom put under an Interdict. At the end of the *Acts omitted*, there's the very Bull of *P.* 587. *Barons of* England *complain of the Pope's Exactions.* *P.* 893.

Pope

Hen. III. Pope *Alexander* IV. in which theſe Conditions are expreſs'd more at large. Nevertheleſs the King enter'd into a Treaty upon theſe Conditions; and while Affairs ſtood thus, there happen'd a Diſaſter to the Pope's Army, which put the *Engliſh* ſo much out of conceit with it, that they diſſuaded the King from going thither; but he declares in this Letter, that he was reſolv'd to puſh on the Enterprize, tho he could not execute it ſo ſpeedily as the Treaty requir'd, by reaſon of the Impoſſibility of raiſing ſo great a Sum of Money. However, there the Affair ſtopp'd, and the King of *England* was not willing to engage in ſo deſperate an Undertaking; but he could not help furniſhing great Sums of Money for it, to the Court of *Rome*, as may be ſeen by a great many Acts; inſomuch, that *Simon de Montfort*, in the King's Name, renounc'd his Pretenſions to the Kingdom of *Sicily*, as we ſhall ſee hereafter.

KING *Henry* declares, That the Treachery of the Marquiſs *de Herebroke* was the Cauſe of the Misfortune in the Army above-mention'd. Mr. *Rymer* has given the whole Hiſtory of it in his Preface, as he had it from *Matthew Paris*, a very ſincere Hiſtorian, who liv'd in that Reign, and was highly eſteem'd in *England*. To be ſhort in the Narrative, *Manfroi* lay at the Town of *Nocera*, in *Campania*, with an Army of *Saracens*, which was ſaid to amount to 60,000 Men, whom *Frederic* II. had ſent for into *Italy*, to make head againſt the Pope's Followers. *Alexander* IV. having ſent a conſiderable Army againſt the Town, commanded by the Marquis *de Herebroke*, under the Cardinal *Octavian*, the ſaid Army ſtopp'd to block up *Nocera*; but committed no Hoſtility againſt the Town, nor did *Manfroi* make any Motion within it. As they

Pope's Army betray'd to Mainfroi, *the Uſurper of* Sicily.

they were not like to come to an Engagement, the Marquis perſuaded the Cardinal to diſband the greateſt part of his Army, in order to ſave Charges, ſo that there remain'd but 10 or 12,000 Men; after which, he went and acquainted *Mainfroi* himſelf with what he had done to ſerve him, who thereupon made a Salley, and cut the Pope's Army in pieces; but *Octavian* having timely notice from a Friend, made his Eſcape. This was the Event that diſguſted the King of *England* againſt the Deſcent upon *Sicily*; to which, however, as I ſaid before, he could not avoid paying a great deal of Money to ſupport the Pope's Intereſt. *A.* 1255.

IN *June* 1256, *Alexander* wrote a Letter to King *Henry*, and ſent a Man to him to receive the Money promis'd, without Delay. At the ſame time, he impos'd a Tenth upon the Clergy of *England*, *de Maneriis propriis*, to be rais'd out of their own Manors, or from the Lands belonging to every Biſhop in the Abbey. There were likewiſe ſome Merchants at *Rome*, who having advanc'd Money to the Pope upon what was due to him in *England*, came hither for Payment, and brought with them a *Bull* directed to the King, which the Pope granted them by way of Recommendation. And afterwards he employ'd ſome *Florence* Merchants, whoſe Credit he vigorouſly ſupported by thundering Excommunications, againſt thoſe who did not pay them.

Pope's Meſſage to K. Henry for Money, P. 593, &c.

His Tax upon the Clergy. P. 595.

P. 595, &c.

BY other *Bulls* in that Year, the Pope granted to the King, 1. The Revenue of the vacant Benefices in *England* which were in the Pope's Collection, that he might fulfil the Vow he had made to go to the *Holy-Land*. 2. The Revenue of thoſe Non-Reſidents who abſented without Leave or Diſpenſation. 3. One Year's

Pope's Grants to the King. P. 597 *to* 601.

Hen. III. Revenue out of all the Benefices that ſhould happen to be vacant within five Years. 4. The Tenth of all Eccleſiaſtical Revenues, according to their juſt Valuation. 5. The Houſhold Goods of thoſe who died inteſtate. After this manner the Popes were always liberal of other Mens Goods, if it is proper to call a Conceſſion Liberality, which came back again to themſelves by another Canal; for what they granted to the Kings for Journeys to the *Holy-Land*, they employ'd againſt the *Gibelines*, by permitting them to commute their Travelling Vow for a Fighting one, in favour of the Church.

Pope's Tax on the Scotiſh *Prelates.* *P.* 608, &c. *P.* 611.

HERE we have certain *Bulls* that impoſe Taxes on the Prelates of *Scotland*, in order to pay the Debts contracted by the Pope for the Expedition to *Sicily*. There are *others* which grant the King of *England* a longer Term to repair thither himſelf, or to ſend a Captain with Money into *Apulia*, but the Prince did neither.

King's Brother elected King of the Romans. *P.* 622.

THERE was another Affair at that time, which gave *England* employment, and put the Nation to Expence without any manner of Profit; which was the Nomination of *Richard* Earl of *Cornwal*, Brother to *Henry*, to be King of the *Romans*. Here we have a Letter from the ſaid *Richard* to *Edward* his Nephew, the King of *England*'s eldeſt Son, adviſing him of his Coronation at *Aix la Chapelle*: The Letter is dated *May* 18, 1257. But *Richard* was never own'd by all the Princes and States of *Germany* *.

AT

* MR. *Daniel*'s Hiſtory of his Reign tells us, That Earl *Richard* carry'd this Election againſt no leſs a Competitor than *Alphonſus* King of *Spain*, after having firſt ſent over the Earl of *Gloceſter* and Sir *John Manſell* to try the Princes Affections; and that the King of *Spain* pretended he

AT this time, the King of *England*, being weary of laying out ſo much Money for the Buſineſs of *Sicily*, and no good like to come of it, order'd Mr. *Roſtand*, the Pope's Chaplain and Nuncio in *England*, to depoſit all the Money which he had rais'd in this Kingdom upon that ſcore, in the new *Temple* at *London*, and hinder'd him from paying it to the Pope's Bankers. The Pope was horridly vex'd at it, and order'd his Nuncio, in ſpite of the King's Prohibition, to employ all the Sums he had out of the Tenths, the Redemption of Vows, and all the other Methods that he had uſed to draw Money from the *Engliſh*, towards paying the Debts of the Holy See. It appears that this Affair was afterwards accommodated, tho the King of *England* declar'd from that time, that he was ready to renounce the Kingdom of *Sicily*. *A.* 1257. *The King lays an Embargo upon the Money levy'd by the Pope's Nuncio for the Buſineſs of* Sicily. *P.* 624, &c.

IT appears by ſome *Acts*, that the Jews then in *England* endeavour'd, according to Cuſtom, to make an Intereſt at Court. For certain Services which two Jew Brothers *Creſſe* and *Hagen* had perform'd to *Richard* his Brother, the King diſcharg'd them in 1257 from all Taxes, *&c.* for five Years, on paying down a Mark and a half of Gold, of which the ſaid *Creſſe*, who was Son to Mr. *Moſes* a Jew at *London*, was to pay the Mark, and *Hagen* the half. By a *Patent* of this Year, the King depoſed a Jew nam'd *Elias*, *P.* 623, 636. *P.* 636.

he was firſt elected, but he being a Philoſopher, and ſtudious of the Mathematics, which he reviv'd in *Europe*, was drawing Lines when he ſhould have drawn his Purſe, and ſo loſt his Hopes, and *Richard* ſtept in before him.

DR. *Howel* ſays he paid a large Sum of Money for the Honour, and that he was reputed at this time to poſſeſs as much ready Coin, as would every Day, for ten Years, afford him a hundred Marks upon the main Stock; beſides his Rents and Revenues in *Germany*, and the *Engliſh* Dominions.

Hen. III. whom he calls a Biſhop and Sacrificer of the Jews, which is as much as to ſay a Rabbi, for a Fault he had committed againſt his Majeſty, and againſt *Richard* King of the *Romans*. The two Jews above-mention'd gave the King three Marks of Gold, to obtain Leave for the Society of *Jews* in *England* to chuſe whom they pleas'd for Rabbi.

Engliſh *Nobility's Letter to the Pope, about the Affair of* Sicily. *P.* 660, &c.

In the Year 1258, there's a remarkable Letter ſign'd by eleven *Engliſh* Noblemen, and ſent to the Pope in the name of all the reſt of the Nobility, complaining of the King's having accepted the Kingdom of *Sicily* for his Son, contrary to their Opinion and Conſent; becauſe *England* was in no manner of Condition to ſupport ſuch a Charge. They add, however, that in reſpect to the Apoſtolical See, if he would pleaſe to redreſs the Diſorders in this Kingdom, and obtain *Sicily* for them upon better Terms, they wou'd ſupport him in the Undertaking, tho he engag'd in it without their Conſent. They tell him that the King, and his eldeſt Son Prince *Edward*, conſented to the Choice of 24 Perſons, of whom the King was to name one half, and the Barons the other; and that they both engag'd themſelves by Oath to follow what the whole Body or the Majority ſhould agree to. Nevertheleſs, according to this Letter from the *Engliſh* Lords, the King's * Brothers, who were come from *France*, had hinder'd the King from performing his Promiſe. *Ademare* was as great an Obſtacle as any, who, being elected Biſhop of *Wincheſter*, tho he had not yet taken Orders, fed the King with thoſe Notions, promiſed him whatever Money he ſhou'd

* The Children of the Queen, Mother to *Henry* III. Earl of *March* and of the born in *France*.

want

want in the Controverſy, tho it ſhould exhauſt his Biſhopric; and in ſhort, he made Confuſion every where, and ſhook the Kingdom. The Barons did all they could to get the Laws reeſtabliſh'd according to the Agreement; but the King's Brothers aim'd at breaking all their Meaſures, and cauſed very great Diſorders in the Kingdom; ſo that, ſay the Barons, *neither their Inferiors, nor their Equals, nor their Superiors, could live or converſe with them.* They were therefore ſummon'd before a Court of Juſtice, to give an account of their Conduct, ſo that two of them were permitted to retire to *France*, on condition that two ſhould ſtay in *England* to appear at the Bar of Juſtice; but they all withdrew to *France* with a *Paſsport* from the King, which comes after this Act. *A.* 1258. *P.* 662.

THE Barons, after having told their Story to the Pope, deſire he would ſo order it, that the King's Brothers might ſtay in *France*, and eſpecially *Ademare*, who being elected to the See of *Wincheſter*, and the chief Cauſe of all the Miſchiefs, they even deſir'd the Pope to deprive him altogether of his Biſhopric, the very People of *England* hating the Thoughts of his coming back again; which was the more eaſy for the Pope to do, becauſe he had only the Adminiſtration of the Biſhopric, and had never yet been conſecrated.

BY reaſon of theſe Broils, *Henry* clapp'd up a diſadvantageous Peace with *France*, as we are inform'd by the Hiſtorians of both *France* and *England*. We have the Articles both in *Latin* and *French*, dated *May* 20, 1259. and ſeveral other Acts relating to it, particularly *one* in *October* following, in *French* and *Latin*, on which we cannot inſiſt. *Peace between K.* Henry *and* Lewis IX. *of* France. *P.* 675, &c. *P.* 688.

Hen. III.

The Pope's Bull to abſolve thoſe who had taken an Oath to obſerve the Laws. *P.* 722.

THE Pope anſwers afterwards by two Bulls, where, inſtead of exhorting the King to the Obſervance of the old Laws of the Kingdom, he ſent an *Order* to certain Prelates, to abſolve all thoſe who had engag'd themſelves by Oath to execute what the Majority of the 24 Barons had reſolv'd on, and to excommunicate thoſe who would not break their Engagements. This Reign was embroil'd every day more and more, and beſides the Quarrels which the King had with the Kingdom in general, he had one in particular with *Simon de Montford*, Earl of *Leiceſter*, who had marry'd his Siſter *Eleanor*; and putting himſelf at the Head of the King's Enemies, did him a great deal of Miſchief, as will appear hereafter. There are *Letters* dated in 1261, in which *Henry* ſignify'd his deſire to refer his Diſpute with the Earl *de Montfort*, to the Arbitration of his Siſter-in-Law *Margaret*, Queen of *France*; but it came to nothing, and the People of *England* were ſtill the more incens'd.

King's Quarrel with the Earl of Leiceſter.

Henry offers to refer it to the Arbitration of Margaret *Queen of* France. *P.* 724.

IN 1262, the King, by a Letter dated the firſt Day of *January*, demanded of Pope *Urban* IV. *Alexander*'s Succeſſor, to be abſolv'd from the Oath he had taken to the Barons; which Abſolution, the Pope, without much Deliberation, ſent him on the 25th of *February* following, together with Orders to the Archbiſhop of *Canterbury* to diſſolve and annul all the Engagements which he had enter'd into with the Barons. In this manner the Popes made a Jeſt of the Oaths of Kings and People, as if neither the one nor the other had any right to take them without their Leave.

Obtains the Pope's Abſolution of his Oath to the Barons. *P.* 736.

IN 1263, *Urban* wrote word to the King and Prince *Edmund*, that he was reſolv'd to give the Kingdom of *Sicily* to another, becauſe they were not able to perform the Conditions upon which

Sicily given away by the Pope.

which it had been granted to Prince *Edmund*; and afterwards he inveſted in it *Charles* of *Anjou*, Brother to St. *Louis* King of *France*. Thus after the See of *Rome* had ſqueez'd great Sums of Money out of *England* upon this very ſcore, they depriv'd her of all hopes of the Iſland. The worſt on't was, that either the King of *England* wou'd have been oblig'd to refuſe that Crown, or at leaſt to have renounc'd it ſoon after. For to give a Kingdom in which the Donor has no right in reality, on condition that the Perſon to whom it is granted, ſhall go and conquer it at his own Hazard and Expence, is making a Preſent as unjuſt as it is miſchievous, and as injurious to him who accepts it, as diſhonourable to him who gives it. *A.* 1263.

IN the Year 1264. the King of *England* on the one part, and the Barons on the other, choſe the King of *France* Arbitrator of their Quarrel, as we ſee by their Letters of the ſame Year; and *Lewis* accordingly pronounc'd his Verdict at *Amiens*. *King of* France *choſe Umpire of* Henry's *Quarrel with the Barons.* *P.* 776, &c.

AFTER the example of the Pope, with whoſe Authority he had cloth'd himſelf, he annull'd all that the Barons had obtain'd of the King, and decided perfectly in his Favour, tho he left things in the ſame ſtate they were in before the Treaty, which the Barons had made with the King. Pope *Urban* confirm'd the Sentence of the King of *France*, and enjoin'd Excommunication againſt thoſe who refus'd Submiſſion to it, as we ſee by his Bulls to the Archbiſhop of *Canterbury*, and the Abbat of *St. Dennis* in *France*. *The* French *King's Sentence in favour of K.* Henry. *Confirm'd by the Pope.* *P.* 781, to 785.

THE Barons were not to be commended for referring the Laws and Privileges of their Country to the Arbitration and Award of a Prince, who was not only their King's Brother-in-Law, *Folly of the Barons.*

Hen. III. but moreover a King himſelf; a Title which thoſe beyond Sea generally hold to be incompatible with the Liberties and Privileges of the People. Beſides, *Lewis* was a blind Bigot in Religious Affairs; and the Pope's declaring for *Henry*, was Warrant enough for him to be of the ſame ſide of the Queſtion. Nor was it good Policy in a King who had a great many powerful Vaſſals of his own, to give Judgment in favour of Vaſſals againſt their Sovereigns, for fear, leſt that in a like Caſe, the Vaſſals of the Kings of *France* ſhou'd one time or other try the ſame Expedient.

Of the Fr. King.

Barons Contempt of the Fr. King's Award.

HOWEVER the Barons of *England* refus'd to ſtand to *Lewis*'s Award: They took no more notice of it, than the King did of the Oath in 1258. from which the Pope abſolv'd him, as has been already ſaid. At length the Sword was drawn, and a * Battle was fought between both Parties in *April*, in which the Barons were worſted, but maintain'd their Courage; and on the 14th of *May*, gave † Battle again to the Royal Army, which they defeated, and took the King Priſoner, together with his Brother *Richard* who came to his aſſiſtance. His own Son Prince *Edward*, and *Henry* Son to *Richard*, ſurrender'd themſelves into the Barons Hands as Hoſtages. From that time to *May* 28, 1265. *Simon de Montfort* Earl of *Leiceſter*, govern'd the Kingdom in the King's Name, who tho he ſeem'd to be under no Reſtraint, was narrowly watch'd. He made him ſign what Orders he

They defeat and take their King Priſoner.

Simon de Montfort's Government.

* THIS happen'd at *Northampton*.

† IT was fought near *Lewes* in *Suſſex*. This diſcovers the Miſtake of ſome Hiſtorians, who date this Battle on *May* 19.

pleas'd,

pleas'd, and ſummon'd a * Parliament to meet at *London* in the Month of *June*, by whoſe Advice the King was to be conducted. Mr. *Rymer* has taken care to diſtinguiſh the Acts made during the King's Captivity, ſo as to be eaſily known from the others; for which ſee the Pages from 790, to 815. *A.* 1265.

THE Pope hearing what had happen'd in *England*, ſent over *Guy* Biſhop of *Sabine*, who was afterwards Pope, by the Title of *Clement* IV. but the Barons refus'd to admit him into *England*; upon which he excommunicated them, and enjoin'd 'em to releaſe the Priſoners, by a Letter which we have here. *His Party excommunicated, becauſe they wou'd not admit the Pope's Legat.* *P.* 798.

MEAN time *Edward* found means to eſcape from his Keepers on the 18th of *May*, 1265. and with all poſſible ſpeed aſſembled a Body of Troops to reſcue his Father. Upon this *Simon de Montfort* made his Father ſign ſeveral Orders againſt him; particularly one to the King's Vaſſals to aſſemble and oppoſe him, another to apprehend him, and a third to excommunicate him. Among the Acts of that time, there is a Power likewiſe which the King gave to *Simon de Montfort*, to *Peter* of *Savoy*, and *John Manſell*, Treaſurer of *York*, to renounce the King- *Prince Edward's Eſcape.* *P.* 810. 811. 812. *K. Henry's Renunciation of Sicily.* *P.* 815.

* DR. *Brady* thinks this was the firſt Convention wherein the Sheriffs were order'd to return two Knights for each County, and the Cities and Burghs two Citizens and Burgeſſes reſpectively, and that *Simon de Montfort* ſummon'd this Convention, and alter'd the antient Uſage, becauſe of the Danger that he and his Friends apprehended from the Concourſe of the Nobility and their great Retinues, and the Example of his and the Barons Practices at *Oxford*. *Dr.* Brady's *Introd.* p. 143. But *Spelman*, *Bede*, *Selden*, *Dr. Hody*, and other authentic Hiſtorians, have prov'd that there was the ſame ſort of Conventions, even ſo early as the *Saxon* Times, tho under different Denominations.

Hen. III. dom of *Sicily* in the Names of Himſelf, and his Son *Edmund*. The Earl of *Leiceſter* did not fail to make this Renunciation in favour of *Charles* of *Anjou*.

PRINCE *Edward* made light of all Proclamations, *&c.* againſt him, in the Name of the King, and aſſembled a ſufficient number of Troops to give battel to thoſe of *Simon de Montfort*, whom he attack'd on the 4th † of *Auguſt*, when *Montfort* was kill'd; and all the Heads of the Party being either kill'd or taken, the King was ſet at liberty, and revok'd all that the Earl of *Leiceſter* had done in his Name. On the other hand, the Biſhop of *Sabine* being choſe Pope as aforeſaid, made uſe of ſpiritual Weapons, and ſent a great number of unneceſſary Bulls into *England*, before he knew what had paſs'd there.

Pope's Bulls againſt Simon *E. of* Leiceſter, *&c.* *P.* 817 *to* 829.

IT ſeems that *Edward* had much ado for ſome Years paſt to excuſe himſelf from travelling to the *Holy-Land*; but now he prepares for a Journey thither, along with St. *Louis* King of *France*: and we have two Acts in *French* this Year, by which the King of *England*, and his Son, borrow 70000 Livres *Tournois* to fit out *Edward* for the Voyage, who left the Guardianſhip of his Children during his Abſence, to his Uncle *Richard* King of the *Romans*, as a *French* Act in the Year 1270. makes appear. There are alſo Paſſports from *Charles* of *Anjou* King of *Sicily*, for *Edward* who actually went to the *Holy-Land*, tho his Father finding himſelf ſick, and fearing he ſhould die in his Son's abſence, recall'd him by a Letter dated *February* 6, 1271. He recover'd however of that Illneſs, and made a Vow to go himſelf with the Croſs to the *Holy-Land*, as he

P. 862. Edward *makes a Voyage to the* Holy-Land. *P.* 866 *to* 869. *P.* 869. *K.* Henry *makes a Vow to do the like.* *P.* 871.

† This Battle was fought near *Eveſham* in *Worceſterſhire*.

declares in a *French* Act of the 16th of *April* in the ſame Year; for he thought he cou'd not give the Lord a greater Proof of his Thankfulneſs for having juſt reſtor'd him to his Health. *A.* 1271.

GREGORY X. being advanc'd to the Pontifical Throne, notify'd it to *Henry* by a Bull dated the 26th of *March*, 1272. and in two days after he publiſh'd a Croiſado, requiring all the Members of it to repair to the *Holy-Land*, within the ſpace of two Years reckoning from the firſt of *May*, 1274. *Pope* Gregory's *Creation.* P. 879. *His Croiſado.* P. 881.

HERE we have Prince *Edward*'s Laſt Will and Teſtament made at *Acre*, ſome time after his arrival in the *Holy-Land*. It is in the *French* Language, and he there appoints his Executors and Guardians for his Children, in caſe the King his Father ſhou'd happen to die, before the eldeſt was of Age to govern by himſelf. This ſhews to what hazards Princes expoſe their Dominions and Families by going to the *Holy-Land*; and the Popes took care to ſend them thither as often as they cou'd, becauſe the abſence of the Princes gave the Clergy at home the more room to increaſe their Power and Wealth. *Edward*, as Hiſtory tells us, had like to have been murder'd by an Aſſaſſin who gave him ſeveral Stabs with a Dagger; but recovering of his Wounds, and hearing that *Lewis* King of *France*, whom he expected, was dead in *Africa*, he ſet out on his return home; and we have a Letter here, dated *Decemb.* 23, 1272. whereby the Grandees of the Kingdom gave him advice of his Father's Death. *Prince* Edward's *laſt Will.* P. 885. *An attempt to murder him.* P. 888.

MR. *Rapin* when he concludes his Account of the firſt Volume, makes this very pertinent Remark; that Mr. *Rymer* has not inſerted any of the Acts relating to the Re-eſtabliſhment of the Laws, and in particular of *Magna Charta*; which,

Hen. III. which, according to our Hiſtorians, *Henry* made in the Fifty firſt Year of his Reign. This is confeſs'd to be at leaſt as material an omiſſion as any that cou'd have happen'd of the Acts in his Time; becauſe the Non-obſervance of thoſe Laws was one of the principal Cauſes of the Civil War therein mention'd. Perhaps, ſays *Rapin*, in ſome Reigns, when the bare mention of Privileges and Laws was Treaſon, and where arbitrary Power happen'd to be the only View of the Princes, there was a deſign to remove thoſe Acts out of ſight, which ought to have been preſerv'd in the Records, preferably to all others. On the other hand, it is not to be doubted, but that Length of Time, and the Negligence of thoſe who had the Care of the Records, may have innocently robb'd us of the ſight of a great many conſiderable Pieces, which the State Hiſtoriographer might have ſearch'd for to Eternity.

Edw. I. THE SECOND VOLUME of Mr. RYMER's *Fœdera* begins with the public Acts paſs'd before King *Edward* was return'd from the *Holy-Land*, and takes in all the Acts of that King's Reign from 1273, to 1307. which was the 35th Year of his Reign, and the laſt of his Life; for he dy'd the 7th of *July*, that very
P. 1059. Year, as appears by a particular Account thereof at the end of this Volume.

To make an Abridgment of all the Acts of this Volume, and at the ſame time to take in all the Events to which thoſe Acts have a Reference, wou'd be a Work of great Labour and length of Time. What I propoſe therefore, is only to give you an Idea of the principal Occurrences, that you may be able to point your Readers to the Acts which they refer to, and to draw



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draw ſuch Inferences from them, as may be to the ſatisfaction of thoſe who have a Curioſity for ſuch Inquirys. I confeſs that ſome perhaps might look into this Collection with another View than I have done; and for Example, might be induc'd to take particular notice of the Forms of the Acts, and of the *Latin* or *French* Terms which are therein us'd: And others perhaps, according as their different Studies lead them, might have a particular Inclination to take notice of ſome important Facts with reſpect to certain Affairs, which I have paſs'd over in ſilence. But 'tis not poſſible to ſatisfy the Curioſity of all ſorts of Readers, unleſs one was to write a Hiſtory, as I have already ſaid, of all the Events to which the numerous Acts have a Reference, which would ſwell the Work in hand beyond meaſure. Therefore I have confin'd my ſelf to what I thought moſt curious; and to do it with Accuracy, inſtead of following the Order of Time in which thoſe Acts are rang'd, I ſhall conſider them according to the different Subjects of 'em, reſerving to my ſelf the Liberty of giving an Account of ſome things afterwards which have no dependance one upon another. *A.* 1273.

THE principal Matters treated of in this Volume are,

I. THE War in *Wales*, which ended in the Conqueſt of that Country by *Edward* I.

II. THE Differences between the two Families of *Arragon* and *Anjou*, of which *Edward* I. was choſe Mediator.

III. THE War in *Scotland*, with the Origin and Cauſes of that War, which was attended with ſuch fatal Conſequences.

IV. THE

Edw. I.

IV. The Diſputes which *Edward* had with *France*.

V. The Affairs which concern *England* in particular.

VI. The Eccleſiaſtical Affairs, or rather the Controverſies which *Edward* had with the Popes.

VII. Some Acts relating to *Edward* in particular.

VIII. And laſtly, ſome diſtinct Acts which contain divers things Important and Curious.

I. *The Affairs of* Wales.

In this Volume we find ſeveral Acts relating to *Wales*, and the War which *Edward* carry'd into that Country; but there are few of them very important. It wou'd appear very ſtrange at this time of Day, if a Prince ſhou'd take it into his head, to put the Chief of his Clergy upon excommunicating the Princes with whom he happens to be at War. Nevertheleſs at that time ſuch a Proceeding cou'd not be for nothing, for we find here that the Archbiſhop of *Canterbury*, after having excommunicated *Leolyn* Prince of *Wales*, requires the Archbiſhop of *York* to do the like.

King Edward's *Archbiſhops excommunicate the Prince of* Wales. *P.* 79.

This War in *Wales* was not began till after a ſolemn Judgment paſs'd againſt *Leolyn*, by the great Men of *England*, in the Year 1276. They condemn'd him for refuſing to come and do Homage to *Edward*, and the Excuſes he alledg'd for not coming were not admitted. They are only mention'd here in general, tho the Exactneſs requir'd

Engliſh *Nobility paſs Judgment againſt him.* *P.* 68.

quir'd in Hiſtory made it abſolutely neceſſary to give the particulars *. *A.* 1276.

AT length this War was determin'd by the Death of *Leolyn*, who was kill'd in Battle in 1282 †. There's a Letter from the Archbiſhop of *Canterbury* to King *Edward*, dated in this Year, which Mr. *Rymer* copy'd from the Records at *Lambeth*; wherein he tells the King, that ſome Letters were found in Cypher in *Leolyn*'s Pocket, by which it appear'd that he held a Correſpondence in *England*. *His Death.* *P.* 224.

AFTER the Death of this Prince, his Brother *David* was taken and ſent to *Edward*, who caus'd him to be try'd by the Parliament of *Shrewsbury*, where he was condemn'd, and ſuffer'd Death as a Traytor, which never us'd to be inflicted before upon Perſons of Diſtinction *. It cannot be deny'd but there was a vaſt deal of Barbarity in King *Edward*'s Treatment of this Prince, the laſt of the Race of the antient *Britiſh* or *Welſh* Princes. Thus you have all that *Death of his Brother* David.

* They are mention'd in *Powel's* Chronicle of *Wales*, and if true, ſeem very ſubſtantial; but *Edward* having reſolv'd on the Conqueſt of that Country, only wanted a Pretence for it.——Dr. *Kennet* in his Note upon Mr. *Daniel*'s Account of this Affair, taxes him with not ſpeaking ſo much in favour of the *Welſh* as he might have done; and the Doctor quotes the aforeſaid Chronicle, to ſhew that they had other more ſubſtantial Reaſons for the War, that *Leolyn* and his Brother gave the Archbiſhop of *Canterbury* above a dozen Articles of Grievances, moſt of them very weighty, which provok'd them to take Arms; and that King *Edward* refus'd to treat with them.

† THIS rectifys another miſtake in our Hiſtorians, who place his Death in *December* 1283.

* MR. *Daniel* ſays, he was firſt drawn at a Horſe's Tail about *Shrewsbury*, and then beheaded, his Body quarter'd, and his Heart and Bowels burnt; his Head was ſent to be ſet on the Tower with his Brother's, and his four Quarters to theſe four Cities, *viz. Briſtol*, *Northampton*, *York*, and *Wincheſter*.

is

Edw. I. is of any importance in the Acts relating to this Affair.

II. *Acts relating to the Differences between the Kings of* Arragon *and* Sicily.

THERE's a great number of these Acts in this Volume which relate to these Differences, and to *Edward*'s Negotiation for accommodating those two Families; but to be enabled to understand these Acts at the first View, one must look back to the History of the Quarrel on which they were founded; which is in substance this. When *Conradin*, whom *Charles* of *Anjou* had order'd to be beheaded, was mounted on the Scaffold, the young Prince threw his Glove into the Square, desiring the Person that took it up, to carry it to a Relation of his, as a mark of the Investiture which he gave him of the Inheritance of the Family of *Swabia*, of which he was the last Heir Male. They say that this Glove was carry'd to *Peter* King of *Arragon*, who marry'd *Constantia*, Daughter of *Mainfroy*, the last King of *Sicily*, and who was natural Son to the Emperor *Frederick* II. *Peter* was not in haste to improve what Pretensions he might have to *Sicily* in Right of his Wife, till a Resolution was form'd by *John de Procida*, a discontented *Sicilian* Nobleman, in concert with Pope *Nicholas* III. who was also incens'd against *Charles* of *Anjou*, to stir up the *Sicilians* to a Rebellion. After they had consulted the necessary Measures, *John de Procida* went and communicated the Conspiracy to the King of *Arragon*, and told him of his Design to deliver *Sicily* from its Tyrant. *Peter* was at first afraid of entring into a War, because he did not foresee how he cou'd get out of it with honour; but *Procida* remov'd

Conradin's Execution.

Sicilian Conspiracy.

remov'd all his Difficulties. 1. By furniſhing him with the Money he had receiv'd from the Emperor of *Conſtantinople*, who in order to divert *Charles* from a Deſign to make War upon him, had depoſited great Sums of Money in *Procida*'s Hands to carry on the Conſpiracy. 2. By ſecretly giving him the Inveſtiture of *Sicily* in the Name of Pope *Nicholas* III. And thirdly and laſtly, by giving him to underſtand, that there was no manner of neceſſity for his engaging in this Undertaking, till the *Sicilian* Conſpiracy had taken Effect. For this end it was agreed between them, that the King of *Arragon* ſhou'd equip a conſiderable Fleet, on pretence of making War againſt the *Saracens*, and that he ſhou'd lie upon the *African* Shore ready to ſail for *Sicily*, if the Conſpiracy took Effect; and that if it miſcarry'd, he might then without ſeeming to have had any manner of Concern in it, go on to make War againſt the *Saracens*. Theſe Meaſures being concerted, *Peter* carry'd his Fleet to *Africa*, and there beſieg'd a Town which the Hiſtorians of *Sicily* call *Andacalle*. Mean time *Procida*'s Plot ſucceeded, and the *Sicilians* cut the Throats of all the *Frenchmen* upon the Iſland, which was what they call to this Day, the *Sicilian Veſpers* *. *Charles* of *Anjou*, who had a Fleet ready equipp'd to fall upon the Emperor of *Greece*, ſail'd immediately towards *Sicily*, and beſieg'd *Meſſina*; the Inhabitants whereof offer'd to ſurrender to him on this only Condition, that he wou'd ſpare their Lives: but he was ſo enrag'd beyond meaſure, that he refus'd 'em that condition, which made 'em reſolve to defend

A. 1282.

Sicilian Veſpers.

* IT had that Name, becauſe the Bell which rung to Evening Prayers was their Signal. The Maſſacre was upon *Eaſter-Eve*.

Edw. I. themſelves to the laſt Extremity. During this Siege, *Procida* went over to the King of *Arragon*, then in *Africa*, and inform'd him how much the Inhabitants of *Meſſina* were preſs'd for want of his Aſſiſtance. Before *Peter* quitted the Coaſts of *Africa*, he wrote a Letter to King *Edward*, dated in the Year 1282. from *Altoyl* (I know not whether it may not be the ſame place with *Andacalle*) in which he tells the King, that while he was employ'd in the War againſt the *Saracens*, the *Sicilians* had ſent Deputies to him, to deſire him to go and take poſſeſſion of *Sicily*, which he was reſolv'd to do, ſince that Kingdom belong'd to his Wife *Conſtantia*. He ſail'd therefore for *Sicily*, and arriving at *Palermo*, was receiv'd and crown'd there as King. From thence he ſent a Note to *Charles*, wherein he acquainted him of his Arrival on the Iſland of *Sicily*, which was adjudg'd to him by Authority of the Church, Pope and Cardinals; and he commanded him to quit the Iſland immediately after the Receipt of his Letter, on pain of being compell'd to it by Force. *Charles* anſwer'd this by another Letter of the ſame Strain, wherein he calls him a Miſcreant and Traitor to God, and the Holy Roman Church *. Mean time *Charles*, who while he beſieg'd *Meſſina*, did not expect the Town cou'd have any Relief, was afraid of being block'd up and ſtarv'd by the King of *Arragon*'s Fleet, and therefore he abandon'd the Siege, and retir'd to *Calabria*; from whence he went to *Rome* to complain to the Pope againſt his Enemy, whom he call'd perfidious Traitor, and dar'd him to ſingle Combat. While *Charles*

P. 208.

Challenges between the K. of Arragon *and* Sicily.

* Both theſe Letters are in *Italian*, but in a Style not much above the Advertiſements of our Heroes at *Fig*'s *Amphitheatre*, the one challenging, the other defying.

loſt

loſt Time in complaining, *Peter* made good Uſe of it in *Sicily*, by cauſing himſelf to be acknowledg'd in *Meſſina*, and all over the Iſland; after which he ſent his Ambaſſadors to *Rome*, where there was a new Pope that ſucceeded *Nicholas* III. *viz.* *Martin* IV. a Creature of *Charles* of *Anjou*, by whoſe Intrigues, or rather by a Force put upon the Cardinals, he was elected. *Peter*'s Ambaſſadors made the beſt Anſwer they cou'd for their Maſter, and according to their Inſtructions, accepted for him the Duel propos'd by *Charles* of *Anjou*. This procur'd a Truce, during which the two Kings agreed to chuſe twelve Perſons each, in order to regulate the Time, Place and Conditions of the Combat. Theſe twenty four met accordingly, and drew up ſome Articles, which the two Kings ratify'd. It was therein agreed that they ſhou'd fight at *Bourdeaux* upon the firſt of *June*, 1283. each accompany'd by a hundred Horſe. The very *Articles* are to be ſeen in this Volume. Their being never made publick before, has led ſome of the beſt Hiſtorians into Miſtakes, and has been very prejudicial to the Reputation of the King of *Arragon*. The chief of thoſe Articles were in Subſtance as follow. *A.* 1282.

Articles of the Duel. P. 226, &c.

1. THAT the Duel ſhall be at *Bourdeaux*, in ſuch place as the King of *England* ſhall judge beſt, which ſhall be rail'd in.

2. THAT the two Kings ſhall make their perſonal Appearance before the King of *England*, in order to fight this Duel on the firſt of *June*, 1283.

3. THAT if the King of *England* cannot be at *Bourdeaux* in Perſon, the two Kings ſhall then appear before ſome Perſon whom that King ſhall depute, to record their Appearance in his room.

Edw. I. 4. THAT if the King of *England* be not there either in Perſon, or Proxy, the two Kings ſhall then be oblig'd to appear before the Perſon who commands at *Bourdeaux* for him.

5. IT was alſo agreed *, *that the ſaid Duel ſhall not be fought before any Perſons whatſoever in the King of* England's *Service, unleſs the ſaid King is actually preſent in Perſon.* Saving to the two Kings the Liberty of agreeing between themſelves, by mutual Conſent, to fight the ſaid Duel in that manner; that is to ſay, in the abſence of *Edward.*

6. THAT if the King of *England* is not perſonally preſent at the Place and Time appointed, the two Kings ſhall be oblig'd to ſtay for him thirty Days.

7. AND in order to procure the King of *England*'s Preſence by all means, the two Kings promiſe and ſwear to do their utmoſt, *bona fide*, and without Fraud, to obtain of the ſaid King, that he wou'd appear at the time and place aforeſaid, and to take due care that their Letters be actually put into his Hand.

AFTER ſome other Articles relating to the Truce, and the Securities which the two Kings give reciprocally; it is farther agreed,

8. THAT which ſoever of the two Kings fails to appear at the time and place aforeſaid, he ſhall be deem'd a vanquiſh'd, perjur'd, falſe, faithleſs Traitor; that he ſhall never aſſume to himſelf either the Name or Honours of a King; that he remain for ever depriv'd and ſtripp'd of the Royal Title and Honours, and be incapable of any manner of Office and Dignity, as a Perſon vanquiſh'd, perjur'd, falſe, faithleſs, traiterous, and eternally infamous.

* THIS is a remarkable Article.

ALL

ALL the *French*, *Spaniſh* and *Italian* Hiſtorians have unanimouſly affirm'd that *Edward* actually ſettled and took care of the Place of Combat; perhaps they were led into this Error by the Appearance of *Charles* of *Anjou* at *Bourdeaux* with his hundred Horſe, for they cou'd not imagine that this Prince wou'd come with his Troop in a poſture to fight, and that he wou'd ſtay at *Bourdeaux* from Sun-riſe to Sun-ſet, if he had not thought of fighting: but we have a *Letter* here from King *Edward* to that ſame Prince, whereby he acquaints him, *That were he to gain both the Kingdoms of* Arragon *and* Sicily, *he wou'd not appoint the Field of Battle, nor ſuffer the two Kings to fight a Duel in any place of his Dominions, or in any other whatſoever, if it were in his Power to hinder it.* In the *Letter* which he wrote to the Prince of *Salerno*, he tells him, that inſtead of having granted his Father's Demand touching this Duel, he had deny'd him *tout-outre* (or point blank) that's the Term he makes uſe of; for both Letters are in *French*. There is no reaſon therefore to ſuppoſe, that *Edward* gave any Sanction to this intended Duel, either by his Preſence, or by ſending any one to repreſent him, or by giving the two Kings any Letters of ſafe Conduct, or finally by cauſing the Place to be prepar'd: and yet the Hiſtorians ſuppoſe it as a thing certain, when they ſay that *Charles* came to *Bourdeaux*, and that he made his Appearance on the Field of Battle, and ſtay'd there from Sun-riſe to Sun-ſet, without ſeeing his Enemy. The Truth of the Fact is, that *Charles* of *Anjou* actually came to *Bourdeaux* on the Day fix'd, that he ſtay'd there till towards the Evening; and that hearing the King of *Arragon* was yet a great way off, he retir'd that ſame Day. But he was

A. 1282.

Another great miſtake of Hiſtorians rectify'd.

P. 239.

P. 240.

Edw. I. ſcarce gone, when *Peter* who was all the while in the Town diſguis'd under the name of one of the Noblemen of his Court, went before the Seneſchal of *Guyenne*, took a Record of his Appearance, and left his Arms as a Teſtimony; after which he made the beſt of his way out of Town, and poſted towards his own Dominions. This Conduct of his gave a handle to the *French* Hiſtorians to accuſe him of Cowardice, and want of Courage to meaſure Swords with his Enemy. But if we conſider the Tenor of the Articles agreed on between the two Kings, 'tis manifeſt that the Appearance of theſe two Princes before the Seneſchal of *Guyenne*, was only to comply with the 4th Article, and with no manner of deſign to fight; becauſe it appears by the 5th, that there was to be no Duel there, if the King of *England* was not preſent; and by King *Edward*'s Letters above mention'd, that nothing was farther from that Prince's Intention, than to be preſent at ſuch Duel. Therefore let them accuſe the King of *Arragon* of Faintheartedneſs as much as they will, I admit that he was afraid; but then his was not a Fear to engage in a Duel with his Enemy, becauſe by their Conventions he was not oblig'd to it: and yet this is the Ground of their Charge againſt him, this the Reaſon of all the Jokes that have been put upon his Conduct. What was he then afraid of? The *French* Hiſtorians, who were very glad of an opportunity to vilify this Prince, who was an Enemy to the Royal Family of *France*, have been far from explaining to us the Ground of his Fear; but the *Sicilians* and *Neapolitans* have done him that Juſtice, by telling us, that he had Intelligence not only that *Charles* had brought his hundred Horſe

Horſe with him into *Bourdeaux*, but that he had, as ſome ſay 3000, and according to others 5000 Horſe but a day's Journey from the Town; and ſome add moreover, that the King of *France*'s Nephew was at the Head of 'em: which is a Circumſtance that *Mezeray* left room to conjecture, when he ſaid that *Peter retir'd, pretending that he was afraid of ſome ſurprize on the part of* France. Now if the King of *France* had not had Troops near *Bourdeaux*, how cou'd *Peter*, when he was in the Dominions of the King of *England*, pretend the Fear of any ſurprize from the King of *France?* There are two things therefore to be conſider'd for the Juſtification of the King of *Arragon*, firſt whether he perform'd the Terms of Agreement, and of this there can be no doubt with any one that has read the abovemention'd Articles; and ſecondly, whether he had any Reaſon to be jealous of *Charles*, and of the King of *France*. As to the former of theſe Princes, the Hiſtorians of *Naples* and *Sicily* ſay that he publickly boaſted that he wou'd be the Death of the King of *Arragon*; which was ſufficient to give the latter juſt Reaſon to be afraid of him, when he found himſelf in a Country remote from his own Dominions, not far from thoſe of the King of *France*, and without any ſafe Conduct from the King of *England*, or any other Security than the bare Word of an Enemy, upon whoſe Sincerity he cou'd by no means depend, after he had openly threaten'd he wou'd have his Life. As for the King of *France*, the *Italians* ſay that he had a Body of 5000, or at leaſt of 3000 Horſe, no more than a day's Journey from the Spot. *Mezeray*, and the other *French* Hiſtorians, who cou'd not be ignorant of what the *Italians* ſaid, do not deny it, and *A.* 1283.

Edw. I. are content to ſay nothing of it; ſo that there is at leaſt as much Probability of the thing's being true, as there is of its being falſe. But after all, ſuppoſing that *Peter* had been ſtruck with a groundleſs Panic, for fear of ſome Surprize on the part of the King of *France*, I don't ſee what great harm it could have done to his Reputation. *Garibay*, a *Spaniſh* Hiſtorian, who no doubt was not ignorant of the Conventions between the two Kings, has taken the Freedom to ſay that the King of *Arragon* came to *Bourdeaux*, but went away again becauſe *Charles* was not there. *Des puez que el Rey D Pedro ſe apoderò del Reyno de Sicilia, viviò cinco anos y dando orden en las coſas del nuevo Reyno, tornò à Eſpana y tuvò rieptos y deſafios con el Rey Carlos, y disfracado paſſò por la Provincia de Guipuſcoa, para la ciudad de Burdeos, que por ſer en eſte tiempo de Ingleſes era el lugar de la batalha a la qual por no acudir el Rey Carlos, tornò el Rey D Pedro en Arragon y Cataluna: i. e.* after *Peter*, King of *Arragon*, had taken poſſeſſion of the Kingdom of *Sicily*, and manag'd the Affairs of his new Government about five Years, he return'd to *Spain*, where he accepted a Challenge from King *Charles* to fight him at ſingle Combat, and went diſguis'd thro the Province of *Guipuſcoa* to the City of *Bourdeaux*; which being then in the Hands of the *Engliſh*, was to be the Place of Battle; but King *Charles* not coming thither, King *Peter* return'd to *Arragon* and *Catalonia*.

I HAVE been the longer upon this Subject, becauſe it ſeems to me that the Acts in this Collection, relating to it, give us ſuch an Idea of this Affair as is perfectly new.

Pope's Bull of Excommunication againſt the K. of Arragon, P. 252.

THE other important Acts here, relating to the Quarrels betwen thoſe two Families, of which King *Edward* was Mediator, are a *Bull* of

of Pope *Martin* IV. which excommunicates the King of *Arragon*, and gives his Kingdom to *Charles* of *Valois*, Son to *Philip* III. King of *France*. *A.* 1283.

Happy Deliverance of the Pr. of Salerno.

HERE we likewiſe ſee what Pains our King took to procure the Liberty of *Charles* the Prince of *Salerno*, who being taken Priſoner in a Sea-fight by *Roger Lauria*, Admiral of *Arragon*, would certainly have ſuffer'd the ſame Death as *Conradin* by way of Repriſal, had it not been for Queen *Conſtantia*, *Peter* of *Arragon*'s Wife, who commanding at that time in *Sicily* took him by force out of the Hands of Revenge, and ſent him into *Arragon* to the King her Husband. The Liberty of this Prince was the preſent Subject of King *Edward*'s Negotiations, and of a great number of Acts and Letters in this Volume. The chief are the Articles which *Edward* agreed to with the King of *Arragon*, at *Oleron* in *Bearn*. *P.* 346. A *Bull* of Pope *Nicholas* IV. *P.* 358. which diſapproves thoſe Articles. The Confir- *P.* 371. mation of thoſe Articles made at *Campo Franco* in *Arragon*. The Bond, into which *Edward* *P.* 375. himſelf enter'd for the Security of the King of *Arragon*, by virtue whereof the Prince of *Salerno* was ſet at Liberty, on condition of returning to his Priſon if he did not perform the Treaty. A *Certificate* of the ſaid Prince, call'd *P.* 435. afterwards *Charles* King of *Sicily*, of his coming to a certain Place to ſurrender himſelf to Impriſonment; and two Letters from the King of *P.* 450. *Arragon* to our King *Edward*, complaining of the Prince of *Salerno*'s Inſincerity, and Non-perfor- *P.* 456. mance of the Treaty: which being altogether foreign to the Hiſtory of *England*, I thought it ſufficient to take notice of only the principal Acts relating to this Affair.

III. *The*

III. *The Affairs of* Scotland.

Settlement of the Succeſſion of the Crown of Scotland.

FOR the better underſtanding of the Acts of this Volume which relate to *Scotland*, it muſt be noted, That it was ſtipulated by the Marriage Contract between *Margaret*, the Daughter of *Alexander* II. King of *Scotland*, and *Erick*, King of *Norway*, that if *Alexander* ſhould happen to die without Male Iſſue, his Daughter *Margaret* and her Deſcendants ſhould ſucceed
P. 1079. to the Crown of *Scotland*. This Contract is to be ſeen amongſt the *Acta Omiſſa*, and is dated on St. *James*'s Day 1281. It happen'd that the two Sons of *Alexander* dy'd in their Father's Life-time, and that their Siſter *Margaret*, Queen of *Norway*, dy'd alſo, leaving a Princeſs of the ſame Name behind her, who was juſt born. Now as *Alexander* II. dy'd in the ſame Year, *viz.* 1282, young *Margaret* of *Norway* ought to have been recogniz'd, as Heireſs of the Kingdom of *Scotland*, immediately after the Death of her Grandfather; but the Nobility of *Scotland* did
P. 266. not oblige themſelves to own her for their Queen till 1284, which was about two Years after, as appears by the *Act* it ſelf. In the mean time *Margaret* continu'd in *Norway*, undoubtedly becauſe of her Minority; and *Scotland* was govern'd by Regents till the Year 1289, that her Father *Erick*
P. 416. ſent Ambaſſadors to *Edward*, to *treat* with him about certain Affairs relating to his Daughter, who was the ſaid *Edward*'s Grand-Niece. *Edward* being return'd home from *France* that ſame Year, the Regents of *Scotland* ſent Ambaſſa-
P. 431. dors to *England* to treat in the King's Preſence with the Ambaſſadors of *Norway*. Theſe Ambaſſadors met at *Salisbury*, and drew up certain Articles, wherein it was ſtipulated that *Margaret*

garet ſhould be ſent to *Edward*, free from any Engagement of Marriage, and that this Prince ſhould deliver her in the ſame Condition to the *Scots*, provided the latter would engage on their part not to match her without the Conſent of the King of *Norway* her Father, and of the King of *England* her Great Uncle. Theſe Conventions are recorded here both in *Latin* and *French*. Mean time, King *Edward* having a mind to marry his Son of his own Name to *Margaret*, ſollicited and obtain'd a *Diſpenſation* from *Rome* for the Marriage, which he afterwards propos'd to the Regents of *Scotland*, by whom it was approv'd. Then *Articles* were drawn up to be inſerted in the Contract; by which it appears, that the *Scots* took all the Precaution poſſible that the Liberty of *Scotland* might receive no manner of Prejudice by means of this Marriage, which was to unite the two Kingdoms under the Dominion of young *Edward*. They ſtipulated, that the Kingdom of *Scotland* ſhould always remain entirely ſeparate from and independent upon *England*, to which *Edward* made no oppoſition. But all theſe Projects vaniſh'd into Smoke by the Death of young *Margaret*, who dy'd before ſhe left *Norway*; or rather, as ſome ſay, on a little Iſland where ſhe was oblig'd to put in for Refreſhment. Amongſt the *Acts omitted*, there's a Letter to *Edward* from the Biſhop of St. *Andrews*, wherein he lets him know the Report of the young Queen's Death, and expreſſes his Apprehenſion of the Troubles which the Loſs of her was like to occaſion in *Scotland*.

A. 1289. P. 446. P. 448. P. 450. P. 471, &c. P. 482.

Scots *take care to ſecure their Independency on the Crown of* England.

UPON the Death of *Margaret*, the main thing in diſpute was to ſettle the Succeſſion; to which ſome great Men, who were deſcended from the Royal Family by the Mother's ſide, laid

Diſputes about the Succeſſion betwixt Baliol *and* Bruce.

Edw. I. laid claim. The two moſt conſiderable Competitors were *John Baliol* and *Robert Bruce*, both very powerful and highly eſteem'd in *Scotland*, ſo that in a ſhort time the whole Nation was divided into two Parties, which render'd the Determination of this Conteſt exceeding difficult; and had they been able to have aſcertain'd which of the two Claimants had the beſt Right, it would have been very difficult to execute the Sentence without involving the Kingdom in a Civil War. The *Scots* Hiſtorians ſay, that their Country-men pray'd *Edward* to be the Arbitrator of the Difference, whilè the *Engliſh* affirm on the other hand, that *Edward* was the natural Judge or proper Umpire of it, by virtue of the direct Right of Lordſhip which he had over *Scotland*. 'Tis difficult to know whether *Edward* made uſe of this Pretenſion at firſt, or whether he declared it before he accepted of the *Scots* Propoſition; and there is nothing in this Collection which ſeems to juſtify what *Buchanan* ſays upon this Subject: on the contrary, we find that *Edward* neglected nothing for eſtabliſhing his Sovereignty over *Scotland*; but all the while this is no Proof that he diſcover'd his Pretenſions before he was acknowledg'd as Arbitrator of the Difference. Be this as it was, he ſummon'd the States of *Scotland* to *Norham*, a Town upon the *Tweed*; which, whether he did as an Act of mere Authority, or at the Deſire of the *Scots*, is a Point which I think cannot eaſily be ſettled; but this however is certain, that King *Edward* look'd upon this as a very favourable Opportunity to eſtabliſh his Authority over *Scotland*, ſo as not to be diſputed for the future.

King Edward *convenes the States of* Scotland *at a Town on the* Engliſh *Borders.*

The States of *Scotland* being conven'd at *Norham*, *Edward* went thither attended by a great

great many of the *Engliſh* Nobility, and a ſmall number of Troops, as appears by the Summons which he ſent to ſeveral Lords to repair to *Norham* by ſuch a Day, with the Arms and Horſes with which they were oblig'd to furniſh the King. The firſt Aſſembly was held on the 10th of *May Anno* 1291, from which Day to the very end of the Seſſion Mr. *Rymer* has given a Journal of what paſs'd, of which I ſhall here give an Abridgment. Mean time, I think my ſelf oblig'd to advertiſe, that the ſaid Journal ought to be read with Precaution, becauſe it was writ by Mr. *John de Cadam*, Clerk to King *Edward*, and probably by order of this Prince; who being accus'd by the *Scots* of having nothing in view from firſt to laſt but his own Intereſts, and ſacrificing thoſe of *Scotland* to his Ambition, it may be preſum'd he took ſpecial care that nothing ſhould be inſerted in the ſaid Journal to his own Prejudice, or that might diſcover a Deſign of which he had been ſuſpected, of making uſe of this Conjuncture to aggrandiſe himſelf, under the ſpecious Pretext of rendring exact and impartial Juſtice. The Remarks which I ſhall add at the end of the Journal, which is a ſort of verbal Proceſs, will ſhew that this Caution is not unneceſſary.

A. 1291.

P. 525.

P. 542 *to* 589.

Journal of their Proceedings.

I HAVE already ſaid that *Edward*'s Project was to make uſe of this Opportunity to extort a Recognition from the *Scots*, that *Scotland* was a Fief of the Crown of *England*; an Acknowledgment which the laſt King of *Scotland* had abſolutely refus'd: and this was the Buſineſs which he intended to bring firſt upon the Stage, poſtponing the grand Point of all, which was the Affair of the Succeſſion, till this was deter-termin'd. For this end, in the firſt Aſſembly at *Norham*, on *May* 10. 1291, he tells the *Scots*, by

Edw. I. by his Spokeſman *Roger Brabanzon*, Chief Juſtice of *England*, that the Conſideration of the State of the Realm of *Scotland*, which was then without a King, had engag'd him to require them, by his Letters Patent, to repair to that Place; and that he was come thither to meet them in order, as direct Sovereign Lord of the Kingdom of *Scotland*, to do Juſtice to the Claimants of the Crown, and to eſtabliſh a ſolid Tranquillity in the Realm: That it was not his Intention to retard Juſtice, nor to uſurp the Right of any body, or to infringe the Liberties of the Kingdom of *Scotland*, but to render to every one their Due. And to the end this might be done with the more eaſe, he requir'd the Aſſent of the States of *Scotland ex abundanti*, and that they ſhould own him as direct Sovereign of the Kingdom, offering upon that Condition to make uſe of their Counſels to do what Juſtice demanded. Upon this Propoſal, the States deſir'd time to conſult their abſent Members, and to conſider of a proper Anſwer. *Edward* cauſed it to be ſignify'd to them, that tho he had Reaſon to be perſuaded that they were come ready prepar'd to anſwer that Article, becauſe they could not be ignorant of his Intention, he would give them time till next Day. The ſame Propoſal being accordingly made to the *Scots* on the Day following, they inſiſted again upon more time; whereupon *Edward*, by the Advice of his Council, granted three Weeks, reckoning from the 10th of *May*, to prepare what they had to alledge againſt his Pretenſion.

King Edward's *Pretenſion to the Sovereignty of* Scotland. *P.* 544.

On the ſecond of *June* another Aſſembly was held, which, according to the Time given by King *Edward*, ought to have met the Day before: The Reaſon of this Remark will appear by

by and by. In this Aſſembly the Biſhop of *Bath and Wells*, then Chancellor of *England*, was Spokeſman for the King, and told the States that in the preceding Aſſembly the King had granted them three Weeks to prepare what they had to object againſt his Pretenſion; but that ſince they had not given any abſolute Anſwer, nor ſet forth any thing to invalidate his Right, it was his Majeſty's Intention to act in the Affair in queſtion, by virtue of his acknowledg'd Right of Sovereignty, and to examine and determine the Difference, in quality of direct Sovereign of *Scotland*. Then the Chancellor, addreſſing himſelf to *Robert Bruce*, one of the Claimants of the Crown of *Scotland*, demanded of him whether he was willing to receive Judgment, as to his Pretenſions to that Crown, from the King of *England*, as Sovereign and direct Lord of the Kingdom; to which the latter anſwer'd in clear and expreſs Terms, That he recogniz'd him for ſuch, and that in that Quality he was ready to ſubmit to his Deciſion. *A.* 1291. *P.* 545.

THE ſame Queſtion was afterwards put to the other Claimants, *viz.* *Florence* Count of *Holland*, *John Haſtings*, *Patrick Dunbar* Earl of *March*, *William Roſs*, *Walter de Huntercumbe*, *William Veſey*, *Robert de Pynkeny*, and *Nicholas de Soules*, who all return'd the ſame Anſwer as *Robert Bruce*. After this, a Knight ſtood up, who made an Excuſe for the Abſence of *John Baliol*, and deſir'd he might have time granted him for his Appearance till the next Day; and *Baliol* appearing accordingly in the next Aſſembly, the ſame Queſtion was put to him, and he return'd the ſame Anſwer as the others. *Competitors for the Crown of* Scotland. *P.* 546. *P.* 548.

IN the fifth Aſſembly, the Biſhop of *Bath* and *Wells*, after having recapitulated all that had paſs'd to that time, proteſted on the behalf of *P.* 549.

Edw. I. King *Edward*, That altho in the Diſpute which was ariſen between ſeveral Claimants, touching the Succeſſion of the Kingdom of *Scotland*, that Prince acted in quality of Sovereign, in order to render Juſtice to whomſoever it was due, yet he did not mean thereby to exclude himſelf from the hereditary Right which he himſelf might have to that Kingdom, which Right he intended to aſſert and improve when he ſhould think fit: and the King himſelf repeated this Proteſtation with his own Mouth in *French*. This made *John Commin*, Lord of *Badenoch*, deſire leave to exhibit his Pretenſions to the Crown; which was accordingly granted him, after he had own'd *Edward* for direct Lord and Sovereign of *Scotland*, as the others had done.

P. 555.

Their Recognition of Edward's *Sovereignty over* Scotland.

BEFORE they proceeded further, the Recognition which the Claimants had made of *Edward* for Sovereign of *Scotland* was committed to Writing, and form'd into an authentic Act, which was ſign'd by all the Claimants; which Act we find at length in the Journal, in the *French* Tongue. Next Day the Claimants made and ſign'd another Act, whereby they conſented that King *Edward* ſhould be put in poſſeſſion of the Kingdom of *Scotland*, in order that he might deliver it up afterwards to the Candidate to whom it ſhould be awarded.

P. 555.
P. 529.

THE Sovereignty of *Scotland* being thus eſtabliſh'd, they came at laſt to the grand Affair; I mean to the Examination of the Claims of the ſeveral Competitors to the Crown; and that the ſame might be conducted impartially, it was agreed that *John Baliol* and *John Commin* on the one part, for themſelves and all the Claimants who ſhould approve of their Nomination, ſhould chuſe forty Commiſſioners of Inquiry; and that *Robert Bruce* on the other part, for

P. 555.

for himſelf, and the reſt of the Claimants, ſhou'd in like manner chuſe forty others; and that King *Edward* ſhould add twenty four on his part, to be as Mediators between the eighty Commiſſioners, who were all to meet in a Body, and make a Report of their Opinions to the King, that he might judge of the Merits of each reſpectively. *A.* 1291.

IN the Aſſembly of the 5th of *June* they did nothing but read and regiſter the Names of the Perſons choſe Commiſſioners, whom King *Edward* appointed next Day to agree among themſelves about the Time and Place of meeting, to hear the ſeveral Pretenſions; and they pitched upon the Town of *Berwic*, about four Miles from *Norham*, on the other ſide of the *Tweed*, and in the Kingdom of *Scotland*; for it muſt be obſerv'd, that the *Scots* had obtain'd of King *Edward* that the Affair might be try'd in their own Kingdom, tho the Letters Patent which he granted them for this end are not dated till the 12th of *June*, which was ſix Days after the Nomination of *Berwic*; but 'tis not unlikely that he gave them a verbal Promiſe. The Commiſſioners not being able to agree about the time, King *Edward* himſelf fix'd it on the ſecond of *Auguſt* enſuing. *P.* 556. *P.* 554. *P.* 554.

ON the 11th of *June* the Regents reſign'd their Commiſſions to the King, who took but deliver'd them back again to them to govern in his Name; after which, he made the Biſhop of *Caithneſs* Chancellor of *Scotland*, with whom he join'd in Commiſſion one *Walter* of *Hamondeſham*, an *Engliſhman*.

ON the 12th the Chancellor took an Oath of Allegiance to *Edward*. *P.* 557. Scots *ſwear Allegiance to* Edward.

ON the 13th the Regents and chief Nobility of *Scotland* did the ſame. *P.* 558.

Edw. I.

ON the 14th and following Days, all the other Lords, Magiſtrates, Governors of Places, *&c.* took the ſame Oath.

P. 567 *to* 573.

P. 574.

KING *Edward* removing afterwards to *Berwic*, together with all the Commiſſioners, made a Proteſtation there; in which he declar'd, that tho he had granted that the Affair of the Succeſſion ſhould be try'd in *Scotland*, yet he did not thereby intend to prejudice the Right which he had in the like or any other caſe to exerciſe Juſtice in *England* hereafter, touching Affairs which might relate to *Scotland*.

ON the third of *Auguſt*, the Commiſſioners being met at *Berwic*, every one of the Claimants preſented his Petition, ſetting forth his Pretenſions to the Crown of *Scotland*; which, as they were all founded on their Deſcent from ſome Perſon of the Royal Family of *Scotland*, would appear plainer to the Reader in a Genealogical Table than in a long Diſſertation. But the Nature of this Work will not admit of Trees of Genealogy; ſo that we can but juſt touch upon the Deſcents by which they claim'd.

Claimants Pleas of Deſcent.

P. 575 *to* 580.

FLORENCE, Count of *Holland*, deſcended from *Ada* Siſter to King *William*.

PATRICK *Dunbar*, Earl of *March*, deſcended from *Ilda* Daughter of King *William*.

WILLIAM *de Veſci*, deſcended from *Margaret* Daughter to King *William*.

WILLIAM *de Roſs*, deſcended from *Iſabel* Daughter to King *William*.

ROBERT *de Pynkeny*, deſcended from *Margery* Siſter to King *William*, by a Daughter of King *William* named *Alice*.

NICHOLAS *de Soules*, deſcended from *Margaret* Daughter of *Alexander* II.

PATRICK *Galythly*, deſcended from *Henry* the Son of *William*.

ROGER

ROGER *de Mandeville*, deſcended from *Aufrica*, ſecond Daughter of King *William*. *A.* 1291.

JOHN *Comyn*, Lord of *Badenoch*, deſcended from *Donald* formerly King of *Scotland*.

JOHN *Haſtings*, deſcended from the third Daughter of *David* Earl of *Huntingdon*, Brother to King *William*.

JOHN *Baliol*, deſcended from *Margaret*, eldeſt Daughter to *David* Earl of *Huntingdon*.

ROBERT *Bruce*, deſcended from *Iſabel*, the ſecond Daughter of *David* Earl of *Huntingdon*.

IN order to form a right Notion of all theſe Pretenſions, 'tis neceſſary to obſerve that *Florence* Count of *Holland*, *Robert de Pynkeny*, and *John Comyn* being deſcended, the two firſt from the two Siſters of *David* Earl of *Huntingdon*, and the laſt from *Donald*, younger Brother to *Malcolm* III. 'tis manifeſt they could not in Law claim Preference before the Deſcendants from *David*. As to *Nicholas de Soules*, *William Roſs*, *Patric Dunbar*, *William Veſci*, *Patrick Galythly*, and *Roger de Mandeville*, if their Genealogy was well ſet forth, 'tis certain that in the Succeſſion of a Fief which was not Male they ought to have been preferr'd before the Deſcendants of the Earl of *Huntingdon*, becauſe they were deſcended from *William* King of *Scotland* his elder Brother; but 'tis probable either that they had not well ſet forth their Genealogy, or that they from whom they deriv'd their Deſcent were Baſtards, and by conſequence incapable of tranſmitting any Right to their Deſcendants. What confirms this Conjecture, is, that in the Petition preſented by *Baliol*, wherein he gave a particular Account how the Crown ſhould have devolv'd from one to another, till it came to him, after having mention'd the Death of *Margaret* of *Norway*, he ſaid, That after the Death of that

Edw. I. Princeſs the Crown ſhould have devolv'd to *Margaret* her great Aunt, Daughter of *Alexander* II. and from the ſaid *Margaret* to one *Magoth* her Daughter; but that this *Magoth* dying without Iſſue, the Succeſſion came to *Margery* her Siſter, who dy'd alſo, as he ſays, without Iſſue: and yet *Nicholas de Soules* call'd himſelf the Son of this *Margery*, and conſequently by *Baliol*'s own Acknowledgment this ſame *Nicholas* ought to have been preferr'd before him, if he had been really *Margery*'s Son, as he had aſſerted he was. It is not to be ſuppos'd that *Baliol* would have been contented with combating the Right of *Nicholas de Soules* with a bare Negative, if it had not been manifeſt and notorious to the whole World, that this *Margery*, the pretended Mother of *Nicholas de Soules*, dy'd without Iſſue.

In like manner *Baliol* in his Petition, after having ſaid that *Iſabella*, the third Daughter of *Alexander* II. dy'd without Children, aſſerts that the Crown ought to have return'd to the Deſcendants of *David* Earl of *Huntingdon*; and at once leaps over all the Heads of *Henry de Galythly*, *Iſabella*, *Ilda*, *Margaret* and *Aufrica*, Daughters of King *William*, from whom *Patrick de Galythly*, *William Roſs*, *Patrick Dumbar*, *William Veſci*, and *Roger de Mandeville* claim'd their Deſcent. What gives room to conjecture that the above *Henry* and his three Siſters, admitting they were *William*'s Children, were no more than Baſtards, is, that afterwards the Competitors who deriv'd their Origin from them, very readily gave up their Pretenſions, even before they came to be examin'd; a certain Proof that *Baliol* was in the right to paſs them over in ſilence, as what could be no great Prejudice to him.

WHAT remain'd therefore to be done, was only to regulate the Succeſſion between the Deſcendants of *David* Earl of *Huntingdon*, Brother to King *William*, whoſe lawful Branch was juſt extinct by the Death of young *Margaret* of *Norway*. This *David* had ſeveral Children, four of whom dy'd before him; and he left three Daughters, *Margaret*, who marry'd *Alan* of *Galway*, *Iſabella*, Wife of *Robert Bruce*, and *Ada*, who was marry'd to *Henry Haſtings* an *Engliſhman*. From *Margaret*, the eldeſt of the three, came *Devergulde* and *Marione*; the latter of whom was marry'd to *John Comyn*, and in all probability dy'd without Children: but be this as it was, neither ſhe nor her Children, if ſhe had any, appear'd in this Proceſs. *Devergulde* her eldeſt Siſter, who was marry'd to *John Baliol*, had by him this *John Baliol*, who demanded the Crown by virtue of his Mother's Right, who was ſtill living. *Iſabella* the ſecond Daughter of *David*, Wife of *Robert Bruce*, had a Son nam'd *Robert* after his Father, which Son was one of the Claimants. Laſtly, *Ada* had by *Henry Haſtings* her Husband, *John Haſtings*, who had alſo form'd Pretenſions; but foreſeeing that the Deſcendants of his two Aunts, who were his Mother's elder Siſters, would carry it from him, he contented himſelf with the Plea that *Scotland* was a diviſible Fief, and that by conſequence it ought to be ſhar'd between the three Daughters of *David* Earl of *Huntingdon* his Grandfather. The main Point in diſpute lay therefore between *John Baliol* and *Robert Bruce*: The firſt alledg'd for himſelf, that he was Grandſon to *Margaret* the eldeſt Daughter of *David*; and the latter pleaded that he was Grandſon to *David* himſelf, and that by conſequence he was nearer by one Degree: and it being objected to him, that *Devergulde*, who was ſtill

A. 1291.

Edw. I. alive, was in as near a Degree of Conſanguinity as he, and that ſhe had the Advantage of being the Daughter of *David*'s eldeſt Daughter; he anſwer'd, that where the Degrees of Proximity were equal, the Men ought to be preferr'd to the Women. That was the Sum and Subſtance of the Reaſons on both ſides, and the ſubject Matter of the enſuing Inquiry. Let's go back now to what paſs'd in the following Aſſemblies.

ALL the Petitions of the Claimants being read, *Edward* fix'd the ſecond Day of *June* in the following Year 1292, for hearing the Report of the Commiſſioners of Inquiry, who had by this means nine or ten Months to inform themſelves.

P. 580. WHEN the Day appointed was come, the Ambaſſadors of *Erick* King of *Norway* appear'd, and demanded, in the name of their Maſter, that he might be admitted into the number of Claimants, as the Father and lawful Heir of *Margaret* his Daughter; which was granted him after his Ambaſſadors had firſt of all recogniz'd the Sovereignty of the Kings of *England* over *Scotland*.

THIS done, the Commiſſioners proceeded to the Examination of the Petitions of each of the Parties; but *Edward* thinking that this way of proceeding would ſpin out the Affair to a great length, he was for examining the Rights of *Baliol* and *Bruce* before all others, without prejudice to thoſe of the other Claimants. This being ſettled accordingly, he order'd the Commiſſioners to examine by what Laws they ought to proceed to Judgment; upon which the Opinions were ſo various, that in order to give them time to agree, or to inform themſelves beter, he prorogu'd the Aſſembly to the 12th of *October*, with a Deſign, as he ſaid for his

own part, to conſult the Lawyers of foreign Countries. *A.* 1292.

IN the next Aſſembly, which was held on the 14th of *October*, *Edward* put two Queſtions to the Commiſſioners of Inquiry, and wiſh'd to have their Opinion. 1. By what Laws and Cuſtoms they ought to proceed to Judgment; and ſuppoſing there cou'd be no Law or Precedent found in the two Kingdoms, how then? 2. Whether the Kingdom of *Scotland* ought to be taken in the ſame View as all other Fiefs, and to be awarded in the ſame manner as Earldoms and Baronies? To the firſt of theſe two Queſtions it was unanimouſly anſwer'd by the Commiſſioners, That the King ought to give Judgment in this Affair conformable to the Cuſtoms eſtabliſh'd in the two Kingdoms, if any certain Laws or Precedents could be found for that purpoſe; but that if there were none to be had, then the King might, by the Advice of the great Men of his Kingdom, eſtabliſh a new Law. As to the ſecond, Anſwer was made that the Succeſſion of the Kingdom might be awarded in the ſame manner as that of Baronies and Earldoms. Theſe two Articles being done with, K. *Edward* addreſs'd himſelf to *Baliol* and *Bruce*, demanding to know if they had any thing more to alledge in maintenance of their Right: and each of the two having ſpoke for himſelf, and inſiſted on the Pleas already mention'd, which they always laid down as the Baſis of their Right, King *Edward* declar'd, that on the 6th of *November* he would pronounce Sentence; and when that Day came, *Robert Bruce*'s Pretenſions to the Crown of *Scotland* were entirely ſet aſide; whereupon he proteſted that he had a Deſign to proſecute his Right under another Form. *P.* 581, &c.

Edw. I.

THEN *John Haſtings* ſtood up, and after aſſerting that the Kingdom of *Scotland* was a diviſible Fief, he demanded that it might be divided between the Deſcendants of the three Daughters of *David* Earl of *Huntingdon*, whoſe third Daughter was his Mother. *Robert Bruce* ſtood up at the ſame time, and made the ſame Demand; whereupon King *Edward* order'd the Commiſſioners to examine whether *Scotland* was a diviſible Fief, and gave them time to conſider of it till the 17th of that Month.

WHEN that Day came, King *Edward* demanding to know the Opinion of the Commiſſioners of Inquiry, they anſwer'd, that the Kingdom of *Scotland* was not diviſible; whereupon the King pronounc'd, that neither *John Haſtings* nor *Robert Bruce* had any Claim to the Succeſſion of the Crown. This Sentence was as yet of no Advantage to *Baliol*'s Cauſe, becauſe there were ſo many other Claimants beſides; but theſe at length ſpar'd King *Edward* and the Commiſſioners the Trouble of further Inquiry, by intirely dropping their Pretenſions. There being nothing now remaining which could ſtand in the way of *Baliol*'s Right, King *Edward* pronounc'd Sentence in his favour, and declar'd him King of *Scotland*; after which he exhorted him to govern his People with Equity, and in ſuch a manner as to give them no reaſon to complain of him, and to bring their Complaints to the direct Lord and Sovereign of *Scotland*. He then appointed a Day for him to take the Oath of Allegiance, and another for him to perform Homage for the Kingdom of *Scotland*: which things were done accordingly; the firſt at *Norham* upon the 20th of *November*, and the ſecond at *Newcaſtle* upon St. *Stephen*'s Day the 26th of *December*. Here it

Crown of Scotland *awarded by K.* Edward *to* Baliol. *P.* 589.

His Oath and Homage to K. Edward. *P.* 591, 593.

it may not be improper to remark, that King *Edward*'s Chamberlain, demanding perhaps too much of *Baliol* for his Fee, when that Prince perform'd his Homage, or not knowing what to demand, *Edward* fix'd his Fee himſelf at twenty Pound; which was double to what was paid by an Earl, as appears by the King's Order eſtabliſhing the ſaid Fee. *A.* 1292. *P.* 600.

Mr. Rapin's *Remarks on the whole Proceſs as well as on the Merits of the Cauſe.*

Now, to look no further than this Journal, one would think nothing could be more exact nor more impartial than *Edward*'s Proceeding in the Determination of this famous Proceſs. In the firſt place he demands of the *Scots*, that they own *ex abundanti* that *Scotland* is a Fief depending on *England*; and the *Scots* Convention making no oppoſition to his Pretenſions, he ſets himſelf up for Judge of this Difference, by virtue of his recogniz'd Sovereignty; and that he may be able to judge of the matter impartially, he cauſes eighty Commiſſioners of Inquiry to be choſe by the two principal Claimants, and does not pronounce Sentence till he has had the Opinion of the ſaid Commiſſioners. This ſeems ſo fair, ſo exact, that what in the World could have a better Face? Yet for all this, the *Scots* do not fail to complain of him, and affirm that he had regard only to his own Intereſts. Therefore to have a clear and diſtinct Idea of this Affair, 'tis worth while to look into the Complaints of the *Scots*, and to ſee on what they are founded, tho this is what Mr. *Rymer*'s Collection takes no notice of.

The *Scots* ſay therefore, that King *Edward*'s only View was not to make *Scotland* eaſy, but to improve this Conjuncture, that he might be recogniz'd Sovereign Lord of the Kingdom, and that the Crown might be plac'd on the Head of that Perſon who was leaſt able to diſpute this

Edw. I. this Right with him; that is to ſay *Baliol*, who had a Genius far inferior to his Rival, and fewer Friends and leſs Credit in *Scotland*. They charge King *Edward* with obſtructing the Freedom of voting; and that while he profeſs'd the ſtricteſt Impartiality in public, he acted underhand by Threats and Promiſes to incline the Commiſſioners to vote as he would have them. They ſay, that at firſt he offer'd the Crown to *Robert Bruce*, if he had been diſpos'd to ingage to do him Homage for it; and that the latter refuſing it upon thoſe Terms, the King propos'd it to *Baliol* on the ſame Terms, which he accepted, and was therefore promis'd the Crown. They obſerve in excuſe for *Robert Bruce*'s recognizing King *Edward* as Sovereign of *Scotland* afterwards, That he did it becauſe he was very ſenſible of what Prejudice his Refuſal was to him. They add as a Proof, That the Meeting of the States at *Norham* was not a free Aſſembly; that in the firſt place King *Edward* brought Troops thither; and ſecondly, that they made no Anſwer to the Propoſal which King *Edward* made to them, of owning him for Sovereign Lord; but if they had thought this Right was indiſputable, why did they deſire time to conſider of it? And if they thought the contrary, how came it to paſs that the Aſſembly of States could not find ſo much as one ſingle Reaſon to diſpute the Right pretended to? which 'tis certain the late Kings of *Scotland* always oppos'd. The *Scots* add moreover, that for all this it does not appear that the States recogniz'd this Sovereignty; and that 'tis plain what Recognition was made, only came from the Regents corrupted by King *Edward*, or from the Claimants, whoſe Intereſt it was to court his Favour, and who were, for moſt part, his Vaſſals or his

his Subjects; and who, when all's done, had no Power to bind the whole Nation of *Scotland* by their particular Submiſſion. They ſay alſo that it was King *Edward*, who by his Intrigues ſummon'd all the Competitors to meet together, excluſive of *Baliol*, *Bruce*, and *Haſtings*, on purpoſe to embaraſs the Affair, to ſhew the two principal Candidates that they had need of his Favour, and that he might have the Majority of Voices among the Candidates to favour his own Ends; which ſay they manifeſtly appears from this Circumſtance, *viz.* That as ſoon as ever *Robert* loſt his Cauſe, all the other Competitors (except *Baliol* and *Haſtings*) dropp'd their Pretenſions; an evident Proof that what they had done, was but mere Grimace in compliance with the King, by whom they were acted. For how can it be imagin'd, ſay they, that the Sentence paſs'd againſt *Bruce* ſhould be prejudicial to the other Claimants, and oblige them to quit their Pretenſions? It appears ſtill more evident, that the Intervention of the King of *Norway* was ſollicited, becauſe 'tis very unlikely that his Ambaſſadors would have dar'd to betray the Intereſt of their Maſter, if they had not had ſecret Orders to act according to the Directions of King *Edward*, who had no longer need of him after *Robert Bruce* was ſet aſide. It ſeems likewiſe as if there had been ſomething myſterious in the Conduct of *Baliol*, who abſented himſelf from the firſt Aſſembly at *Norham*, on purpoſe to let the others make the firſt ſtep in acknowledging the King of *England* for Sovereign, as if he was the fartheſt of any from ſuch an Intention; which, ſay they, could only proceed from the Aſſurance he had of obtaining the Crown: but, notwithſtanding this Pretion, he could not hinder public Fame from accuſing

A. 1292.

Edw. I. cuſing him, as the firſt of the Candidates for the Crown who had engag'd himſelf to King *Edward*. This was alſo what they ſtill continu'd to upbraid him with; and tho he afterwards loſt the ſaid Crown for offering to retract, yet he could never regain the Eſteem of his Subjects, who afterwards tack'd about to his Rival's Son.

HERE I cannot avoid making a Remark, which, by the way, I only give as my own private Conjecture; namely, That in the ſecond Aſſembly, which was held at *Norham* on the 2d of *June* 1291, *Edward* granted a Delay of three Weeks, reckoning from the 10th of *May*, in order to give time to the *Scots* to prepare what they had to anſwer to his Pretenſions to the Sovereignty of *Scotland*. According to this Delay, the Aſſembly ought to have been held on the firſt of *June*, and yet we don't find that any was held till the ſecond Day; on which, tho it does no where appear that the *Scots* had been ask'd what they had to offer by way of Anſwer, the Chancellor open'd the Conference by ſaying, that ſince they had not given in any Anſwer, the King of *England* was reſolv'd to make uſe of his Prerogative. This gives me cauſe to conjecture, that probably another Aſſembly was held the Day before, in which the States of *Scotland* produc'd their Reaſons, but did not think fit to inſert them in the great Roll of *Scotland*, from whence this Journal was taken; for how could the Chancellor be ſuppos'd to open the Aſſembly by ſaying that the *Scots* had not return'd any Anſwer, before he had ſummon'd them for that Purpoſe? And if they were ſummon'd, and did return any Anſwer, it was perhaps either that the Homage demanded was not due, or that they own'd *Scotland* to be a Fief of *England*.

England. In the former caſe, there was an abſolute neceſſity of inſerting at leaſt a part of their Anſwer in a Journal ſo exact as this, where the very Words are reported and often repeated *verbatim*; and in the latter caſe, nothing ſurely could have been of more Advantage to the King's Intereſts than ſuch a Confeſſion. And if, in ſhort, no Anſwer was return'd, tho demanded, the Summons given them for that purpoſe ought at leaſt to have been inſerted, with the Addition that they remain'd mute; for it muſt be obſerv'd, that this is a ſort of verbal Proceſs, in which the very Words made uſe of are ſet down; and not a Narrative, the Expreſſions of which depend on the Caprice of him that gives it. *A.* 1292.

THIS Conjecture, and what the *Scots* oppoſe, ſeems to have a Foundation the more ſolid, becauſe the Reaſons which King *Edward* made uſe of, to ſhew that *Scotland* had been always heretofore a Fief dependent on the Crown of *England*, ſeem not to be concluſive. 'Tis this Act which I am now to examine, having not done it hitherto, tho it is inſerted in the middle of the Journal, becauſe I was not willing to interrupt the Proceſs. *Proofs fetch'd from Antiquity of the King of* England's *Sovereignty over* Scotland. *P.* 559 *to* 573.

IN the Speech which the Chancellor made at the ſecond Aſſembly at *Norham*, he ſays, that the King his Maſter would prove his Right to the Sovereignty of *Scotland* by indiſputable Documents; and it was with this Deſign therefore that King *Edward* caus'd the Proofs of it to be drawn up in Writing. The Act being by much too long to tranſcribe here, I ſhall only take notice in a word, that all the Proofs are founded upon Paſſages extracted from certain Hiſtorians, ſuch as *Marianus Scotus*, an *Iriſhman*, *William* of *Malmsbury*, *Roger* of *Hoveden*, *Henry* of *Huntingdon*,

Edw. I. *tingdon, Raoul de Dicet,* and other *Engliſhmen*; that the main Point for which thoſe Hiſtorians are quoted, is to ſhew that the Kings of *England* have often vanquiſh'd the *Scots*; that they have ſometimes plac'd Kings upon the Throne of *Scotland* by force of Arms, and that the Kings of *Scotland* have often render'd them Homage. The *Engliſh* Hiſtorians, who boaſt of the Sovereignty of their Kings over *Scotland*, lay mighty Streſs upon this Memorial or Manifeſto of King *Edward*; out of which, by the way, they give us but few Particulars. Tho this is a Diſpute which not many are concern'd in at preſent, yet I perſuade my ſelf that there are curious Perſons who would be glad to ſee ſome Remarks upon the Proofs here produc'd by King *Edward*.

Mr. Rapin's *Remarks on them.*

1. THE Authors from whom the Paſſages are extracted are all *Engliſh*. To go about to prove by *Engliſh* Writers, that *Scotland* is a Fief of *England*, ſeems pretty extraordinary; and is no leſs than making the Parties Judges in an Affair which was then the Subject of the Proceſs between the two Nations. It would be a very good Jeſt if ſuch Paſſages ſhould be brought only to confirm more authentic Proofs.

2. THE Diſcovery that the Kings of *Scotland* have paid Homage to the Kings of *England*, is far from amounting to a Proof that *Scotland* was long ſince a Fief depending on the Crown of *England*, becauſe it ought to be prov'd beyond Diſpute, that they paid that Homage for *Scotland*. For, by example, if the King of *France* ſhould go about to prove that the Kings of *England* ever paid Homage to his Predeceſſors, he could eaſily do this by a Cloud of Hiſtorians; but if he ſhould offer to conclude from thence, that *England* is a Fief of the

the Crown of *France*, ſuch Conſequence wou'd be perfectly ridiculous, becauſe the Homage which the Kings of *England* have formerly paid to the Kings of *France* was not for *England* it ſelf, but for the Provinces which they poſſeſs'd in the Kingdom of *France*. The ſame thing may be pleaded with reſpect to the Kings of *Scotland*, who poſſeſs'd *Huntingdonſhire*, and ſome Lands upon the Frontiers of both Kingdoms, for which they did Homage to the King of *England*. *A.* 1292.

3. BUT if they had not enjoy'd a Foot of Land in *England*, it wou'd not follow from their having done Homage to the Kings of *England*, that *Scotland* was a Fief of that Crown; becauſe 'tis certain, that Homage was often perform'd for mere annual Penſions, without expreſſing the Cauſe of the Homage; of which there are more Inſtances than one, in the firſt Volume of the *Fœdera*, with reſpect to the Earls of *Flanders*, who did Homage to the Kings of *England* for a Penſion of 500 Marks. So that there's no Concluſion to be drawn in ſupport of this Claim of Sovereignty, from the Homages perform'd by the Kings of *Scotland*, unleſs it had been expreſs'd that they were perform'd for the Kingdom. *P.* 1.

4. EVERY body knows how punctually thoſe to whom Homage was due, had it paid to them upon every Change, either of Sovereign or Vaſſal, in preſence of many Witneſſes; that authentic Acts were drawn up for that end, and that he who had perform'd it, gave an Inſtrument of it under his Hand and Seal. How comes it to paſs then that King *Edward* did not produce any of theſe Homages in due form, but was fain to prove his Right from Hiſtorical Paſſages? Was it not plainly confeſſing that he had no better Proofs?

5. IT

Edw. I. 5. IT may be objected perhaps, That in King *Edward*'s Memorial, there is a long Account of the Homage which *William* King of *Scotland* paid for *Scotland* it ſelf to King *Henry* II. and his Son, and that moreover this Homage is not conteſted. But it may be anſwer'd, That as this Homage had been extorted from the ſaid King *William*, as one of the Conditions of his Liberty, after he had been taken Priſoner by *Henry* II. ſo *Richard* the Son and Succeſſor of the ſaid *Henry*, voluntarily departed from it, as is affirm'd by the *Engliſh* Hiſtorians themſelves, and as may be
P. 64. prov'd by an Act in the Firſt Volume of the *Fœdera*, among thoſe of King *Richard*: ſo that this Article makes no Proof at all.

6. IT is true indeed that the Kings of *England* have often demanded Homage of the Kings of *Scotland*, for *Scotland* it ſelf: but this is a Proof of their Pretenſions only, not of their Right; for if ſuch a bare Demand be ſufficient to prove their Right, 'tis as certain that the bare Refuſal of the Kings of *Scotland* may prove the contrary: and 'tis notorious beyond all diſpute, that the Kings of *Scotland* have ſometimes refus'd to do Homage for their Kingdom. *Alexander* II. having perform'd Homage to King *Henry* III. his Father-in-Law, for the County of *Huntingdon*, *Henry* demanded the ſame Homage of him for *Scotland*: but this Prince, tho very young at that time, excus'd himſelf, by ſaying that he cou'd not do it without the Conſent of the States of his Kingdom: and 'tis particularly remarkable, that *Edward* in his Memorial quotes that Inſtance of the Homage paid by *Alexander* to *Henry*, to prove his Right, artfully confounding the Homage which *Alexander* paid for the County of *Huntingdon*, with that which he refus'd for the Kingdom of *Scotland*. For when *Alexander*

under came to perform Homage to King *Edward* himſelf, he proteſted that it was not for the Kingdom of *Scotland*; and his Homage was receiv'd with the ſaid Proteſtation, and with the following Reſtriction, as plainly appears by an Act in this Volume: *Et idem Rex Angliæ homagium ejuſdem Regis Scotiæ recepit, ſalvo jure & clamio ejuſdem Regis Angliæ, & hæredum ſuorum, de homagio prædicti Regis Scotiæ, & hæredum ſuorum, de Regno Scotiæ, cum inde loqui voluerint.* A. 1292. P. 126.

7. WHEN one reads the Paſſages quoted by King *Edward* from Hiſtorians, one cannot help perceiving how weak are the Conſequences which he wou'd infer from ſome general Expreſſions.

8. IN the laſt place, as to the Paſſages produc'd to ſhew that the Kings of *England* have ſometimes plac'd the Kings of *Scotland* upon the Throne, this does not infer that *Scotland* was dependent on *England*. For example, if *Lewis* XIV. had been ſo lucky as to reſtore King *James* II. to the Throne, it wou'd not follow from thence that *England* muſt have been oblig'd to recognize the King of *France* and his Succeſſors for its Sovereigns.

I MIGHT add ſeveral other Remarks upon the Proofs brought by King *Edward*: but this is ſufficient, I believe, to ſhew how aſtoniſhing it is that the States of *Scotland* ſhou'd make no Anſwer to K. *Edward*'s Pretenſions; which makes me think either that the Journal is not exact, according to my former Conjecture, or that if they did not anſwer, they were intimidated by King *Edward*, from whom they had every thing to fear, as matters then ſtood.

I HAVE been a little the longer upon this Journal, becauſe the Subject of it was the Foundation of all the Wars which afflicted the two

Edw. I. Nations for 300 Years; and as to the Remarks which I have added, my View was to hinder every body from being prejudic'd in favour of a Writing which has ſuch an authentic appearance, as if it ought to be the ſole Foundation of Truth, tho it was drawn up by Order of one of the Parties concern'd *.

THE other Acts of greateſt importance in this Volume, relating to *Scotland*, are the Demand which *Baliol* made that the Cauſes of *Scotſmen* ſhou'd be try'd in *Scotland*, together with King *Edward*'s Denial, and *Baliol*'s Declaration whereby he gives up the Conceſſion which King *Edward* granted on the ſame account to the Regents and Claimants of the Crown, which we find in *Page* 532.

P. 596, 597.

Macduff's *Impriſonment.* *P.* 604.

NOT long after we come to an Act, whereby *Macduff* Earl of *Fife* was condemn'd to Impriſonment by the Parliament of *Scotland*. This is a remarkable Piece, becauſe that Complaint or Appeal which *Macduff* made to King *Edward*, was one of the principal Reaſons of the Quar-

* TO juſtify what has been ſaid by Mr. *Rapin*, a great deal more might be added from ſeveral eminent Hiſtorians, both *Engliſh* and *Scots*: but there being not room here for Quotations, the Curious who have a mind to be more fully ſatisfy'd of the Independency and Sovereignty of the Kingdom of *Scotland*, will not take it amiſs to be referr'd to thoſe Pieces wherein this Subject is treated more at large; particularly Sir *George Mackenzie*'s Obſervations upon the Laws and Cuſtoms of Nations as to Precedency, *Cap.* 3. Sir *Thomas Craig*'s Diſpute concerning Homage, entitul'd, *Scotland*'s *Sovereignty* aſſerted; Mr. *Tyrrel*'s General Hiſtory of *England*; Sir *James Dalrymple*'s Collections concerning the *Scottiſh* Hiſtory; Mr. *Anderſon*'s Eſſay, ſhewing that the Kingdom of *Scotland* is Imperial and Independent; and to cloſe all, the late *Treaty* of *Union* concluded betwixt *England* and *Scotland* as two Independent Nations.

rel

rel that happen'd betwixt him and the King of *Scotland*. The Fact was as follows. *A.* 1293.

WHILE King *Edward* was in poſſeſſion of *Scotland*, by the Conceſſion of the Regents, and of the Competitors for the Crown, he order'd that *Macduff* Earl of *Fife* ſhou'd be put in poſſeſſion of certain Lands, to which he laid Claim. The Affair of the Succeſſion being ſettled, and *Baliol* acknowledg'd for King, *Macduff* was ſummon'd to Parliament, for having put himſelf in poſſeſſion of thoſe Lands which ought to be left to the King of *Scotland*, and he was therefore condemn'd to ſuffer Impriſonment. When he was ſet at Liberty, he went and complain'd to King *Edward* of the Injuſtice that had been done him, and upon his Complaint *Edward* ſummon'd the King of *Scotland* to appear before him; which the latter obeying, he was treated like a private Man, ſays *Buchanan*, and oblig'd to go and ſtand at the Bar to plead his Cauſe; which exaſperated him to the laſt degree. *P.* 606. *King Edward's Summons to Baliol.*

BUT this was not the only occaſion which *Edward* took to aſſert his Sovereignty over *Scotland*. Here are no leſs than eight ſeveral Summons ſent to *Baliol* upon very trifling occaſions, to appear in Perſon before King *Edward*. It was this Treatment that made *Baliol* think of ways and means to ſhake off ſuch a cruel Yoke. The War which then broke out between *France* and *England*, ſeem'd to give him a favourable opportunity. He made an offenſive and defenſive Alliance with *France*, and marry'd his Son *Edward* to a Daughter of *Charles de Valois*, Brother to *Philip* the Fair; and at laſt by an Act for the purpoſe, renounc'd the Homage he had paid to King *Edward*. *Baliol* imagin'd that *France* wou'd cut out ſo much Work for King *Edward*, that he wou'd not have time to think of him: *P.* 605 to 641. *P.* 695. *P.* 697. *P.* 707.

Edw. I.

but the contrary happen'd; for *Edward* did not ſo much mind his Affairs in *France*, becauſe he had ſet his Heart upon the Puniſhment of the King of *Scotland*, who was vanquiſh'd, and oblig'd to go to King *Edward* and reſign his Kingdom to him: after which Act of Reſignatian he was committed to the Tower.

Baliol *forc'd to reſign his Crown to* K. Edw. *P.* 718.

Scots *recognize King* Edward's *Sovereignty*. *P.* 950.

THE *Scots* revolted ſeveral times, but were always defeated, and at laſt oblig'd to own King *Edward* for their Sovereign.

J. Comyn *murder'd by* Robert Bruce. *P.* 988.

ROBERT BRUCE, Son to him who was a Candidate for the Crown, fled from *England* into *Scotland*, where he kill'd *John Comyn* who had betray'd him, and caus'd himſelf to be crown'd King of *Scotland*. He was defeated, and endeavour'd to hide himſelf, while thoſe of his Party that were taken Priſoners, were ill treated by King *Edward*. We have no other Acts here that make mention of King *Edward*'s laſt Expedition to *Scotland*, in which he dy'd.

Bruce's *overthrow* *P.* 1012.

IV. *The Affairs of* France *in this Reign.*

King Edward's *Treaty with* France. *P.* 134.

THE firſt Piece we ſhall mention is a Treaty dated at *Amiens*, *May* 23, 1279. between King *Philip* III. call'd the Hardy, and King *Edward*, which confirm'd that made between *Henry* III. and St. *Louis*, whereby the King of *France* was oblig'd to quit the Diſtrict of *Agenois* to the King of *England*.

His Letter to the Biſhop of Agen. *P.* 139.

HERE is a Letter from King *Edward*, wherein he deſires the Biſhop of *Agen*, to whom according to Cuſtom he ought to have taken the Oath in Perſon, that he wou'd pleaſe to receive it by his Seneſchal of *Guienne*. 'Tis dated at *Abbeville*, *June* 4, 1279

P. 167.

THE next is a Letter from King *Edward* to *Philip*, wherein he intreats him to make no Alteration

teration in the Cuſtoms of the Province of *Gaſcoigne* without his Conſent. 'Tis dated *March* 4, 1281. *Gaſcoigne* and *Guyenne* were at that time ſynonymous. *A.* 1281.

HERE we have a Letter to King *Edward* from the Nobility of *Gaſcoigne*, deſiring him not to ſubject their Lands to *Arnold de Seuil.* This Letter begins, *Domino præ cunctis mortalibus diligendo, Edwardo*, i. e. To our Sovereign Lord *Edward*, belov'd above all Mortals: Yet they don't ſpare to tell him their Minds, *Dominationem veſtram volumus pro conſtanti, quod nullatenus nobis placet, ut altam juſtitiam terrarum noſtrarum in Arnaldum Raimundi de Solio, vel aliquem alium, maxime ignobilem, conferatis*; i. e. We wou'd have your Majeſty to take it always for granted, that we ſhall by no means be pleas'd with your ſubjecting of our Lands to *Arnold Raymond de Seuil*, or any other Perſon of mean Rank. And a little lower they ſay, *Nunquam enim præmiſſa proponimus ſuſtinere, niſi id faceremus, quod abſit, coacti a vobis*; i. e. For we never propoſe to bear the Premiſes, unleſs, which God forbid, we ſhou'd be compell'd by you. 'Tis dated the firſt of *May*, 1281. *Letter from the Nobility of* Gaſcoigne *to* K. Edward. *P.* 168.

HERE we have the Reſtrictions contain'd in the Homage which King *Edward* paid to King *Philip*, *A. D.* 1286. the Biſhop of *Bath and Wells* being his Spokeſman: where it muſt be obſerv'd, that under the Reigns of *John* and *Henry* III. King *Edward*'s Grandfather and Father, *France* had taken ſeveral Provinces from the Kings of *England*; and that after frequent Wars upon this very Score, there were ſome Treaties of Peace, which King *Edward* complain'd were not obſerv'd. Therefore after having proteſted againſt thoſe Infractions, he only made his Homage in general Terms, for fear of excluding *K.* Edward's *Homage to* Philip *of* France. *P.* 320.

Edw. I. excluding himſelf from the Claim which he intended to make to thoſe Provinces, if he only perform'd Homage for the Lands then in his poſſeſſion, and mention'd them particularly by name. The Homage therefore was couch'd in theſe Terms: *I become your Man for the Lands which I hold of you on this ſide of the Sea, according to the Form of the Treaty which was made betwixt our Anceſtors.* And after this manner was the Homage receiv'd.

Treaty between K. Edward *and* Philip *the* Fair. *P.* 336.

In this Page we have a Treaty of Peace between *Philip* the Fair, and our King *Edward*, dated in *Auguſt*, *A. D.* 1286.

The K. of France *ſummons our K. to* Paris. *P.* 617.

A Particular Quarrel between two Seamen, one an *Engliſhman*, the other a *Norman*, having occaſion'd a Rupture between *France* and *England*; *Philip* ſummon'd *Edward* to appear in Perſon at *Paris*, before the Court of Peers.

Ground of their Quarrel. *P.* 620.

For the better underſtanding of the Acts that follow, and the Grounds of the Controverſy between *Philip* the Fair and *Edward*, the Reader muſt be acquainted that *Edward* being engag'd in the *Scots* War, ſent *Edmund* his Brother to *Paris* to appear for him, with Orders to do whatever he cou'd to prevent a War with *France*. The *French* Hiſtorians ſay, that *Philip* being angry with *Edward* for not appearing in his own Perſon, confiſcated *Guyenne*, and ſent into this Dutchy his Conſtable *Raoul de Nelle*, who made himſelf Maſter of it. To hear how eaſily this General took *Guyenne*, is at firſt ſurprizing, till one turns to the Page in the Margin, where we find the whole Affair unriddled, together with the Stratagem which *Philip* made uſe of. He gave *Edmund* to underſtand that all he had a View to upon this occaſion, was his Honor and his Right of Sovereignty; and that provided *Edward* wou'd but make ſome advances to

ſatisfy

ſatisfy him, he wou'd be content with Exter- *A.* 1286.
nals. For this end he demanded that *Edward* ſhou'd deliver up to him certain Towns in *Guyenne*, together with ſome Perſons in that Province, of whom he had reaſon to complain. *Edward*, who was for avoiding a War, did not only give the King of *France* this external Satisfaction, but deliver'd up all *Guyenne* to him, believing that *Philip*, content with ſuch Submiſſion, wou'd reſtore it back to him out of hand, according to his Promiſe. But he was trick'd by the King of *France*, who ſent the Conſtable into *Guyenne* to take poſſeſſion of the Province, which was done without oppoſition, and *Philip* afterwards refus'd to part with it.

HERE we find King *Edward*'s Order to his *P.* 619.
Officers of *Guyenne* to pay his Brother *Edmund* the ſame Obedience as to himſelf; together with *Edmund*'s Order, in conſequence hereof, to deliver up *Guyenne* to the King of *France*. 'Tis ſcarce to be doubted, but the thing was tranſacted in the manner as it is related in the above Page by *Edmund*, becauſe divers Acts and Let- *P.* 642 *to* 645, 652, 687, 789, 937.
ters of *Edward*, under the Pages in the Margin, do manifeſtly hint at the Cheat complain'd of by *Edward*.

IN the Year 1294. King *Edward* made a for- *King* Edward's *Renunciation of his Homage to the K. of* France.
mal Renunciation of the Homage which he had paid to *Philip*.

IN 1296 we find certain Conventions made for *P.* 650.
a Marriage between *Edward*, Son of King *Edward* I. and *Philippa* Daughter of *Guy* Earl of *Flanders*. But as ſhe was kept at *Paris* by *Phi-* *P.* 741.
lip the Fair, who was againſt the Marriage; *Edward* and *Guy* made new Conventions for a Match betwixt young *Edward*, and *Guy*'s youngeſt Daughter *Iſabella*.

Edw. I.

P. 789. THERE's a Letter from King *Edward* to the Gentry of *Gaſcoigne*, to apologize for ſuffering himſelf to be trick'd by *Philip*, in the ſecret Treaty betwixt him and his Brother *Edmund*, without conſulting with them.

Kings of England *and* France *refer their Quarrel to the Pope.* HERE we have a Com-promiſe between *Philip* and *Edward*, to make *Boniface* VIII. Umpire of their Differences, not in quality of Pope, but as a private Perſon, under the Name of *Benedict Cajetan.*

P. 808, 812, 817. POPE *Boniface* annulls the Conventions for the Marriage betwixt young *Edward* and *Philippa* of *Flanders.*

P. 818.

P. 819. IN the next Page we have the Pope's Sentence of Arbitration, for putting an end to the Diſpute betwixt the two Kings. This is the Sentence which *Mezeray* ſays ſo nettled the Court of *France*, that when it was deliver'd to *Philip* by an Ambaſſador from *Edward*, *Robert* of *Artois* ſnatch'd it from him, and threw it into the Fire. Other means were therefore to be conſulted, for putting an end to this Quarrel. For this purpoſe the Ambaſſadors of the two Kings met at *Montreuil* upon the Sea-coaſt, and concluded a Truce, by agreeing to a Marriage between King *Edward* the Father, and *Margaret* Siſter to King *Philip*, and to another between *Edward* the Son and *Iſabella*, *Philip*'s Daughter *. Several Hiſtorians have ſpoke of this Truce as of a final Treaty of Peace, in which they are miſtaken; for it appears by the very Terms of the Treaty, that that which was made in 1299, was no more than a Truce.

Another miſtake of Hiſtorians rectify'd. *P.* 840, &c.

* By conſulting the *Fœdera*, it appears that Mr. *Rapin* was miſtaken when he calls this *Iſabella Philip*'s Siſter. We have alſo rectify'd ſome of his Pages which are miſprinted from the Original.

The

The Peace was not made till the Year 1303, by the Articles whereof printed in this Volume, it may be obſerv'd, that the two Kings entirely abandon'd thoſe of their Allies who were moſt attach'd to their Intereſts; *Philip* having left the *Scots* in the Lurch, and *Edward* the Earl of *Flanders*, of whom there's not one word ſaid in the Treaty. *A.* 1303. *Peace betwixt* England *and* France. *P.* 923. *Both Kings drop their faithful Allies.*

THERE's a remarkable Letter upon this occaſion from ſome *Scotſmen* at the Court of *France* to their Friends in *Scotland*, wherein they tell them, that they ought not to be ſurpriz'd if they are not included in the Treaty, becauſe *Philip* has promis'd not to abandon them; and that he wou'd do them more Service in an Interview which he was to have with King *Edward* at *Amiens*, than if he had caus'd them to be compriz'd in the Treaty: but what the King of *France* told them, was only to amuſe them, for he had no Interview with *Edward*, and did nothing for them. On the other hand, the *Flemiſh* Hiſtorians tax King *Edward* with the blackeſt of Treachery, for having thus abandon'd their Earl, and ſolely contributed to his Ruin, in deſpite of the moſt ſolemn Oaths which he had taken, never to conſent to any Peace with *France* without including him in it. *P.* 929. *P.* 952.

AMONGST the Acts omitted in this Volume, we find that the King of *France* was offended with the Clauſe *Regnante Edwardo Rege Angliæ*, in the Charters of *Guyenne*, which he inſiſted ſhou'd be *Regnante Philippo Rege Franciæ*. After a great many Debates upon this Clauſe, it was agreed between *John de Grailly* the Seneſchal of *Guyenne*, and the Court of *France*, that it ſhou'd be alter'd thus, *Regnante Philippo Rege Franciæ, Edwardo Rege Angliæ tenente Ducatum Aquitaniæ*; i. e. *Philip* being King of *France*, and *Edward* *P.* 1083.

Edw. I. King of *England*, holding the Dutchy of *Aquitain*. But it does not appear in this place that King *Edward* approv'd of this Expedient.

V. *The Acts which relate to* England *in particular.*

It may be obſerv'd in the firſt Acts of this Volume, that by their being paſs'd in *England*, during the abſence of King *Edward* who was in *Paleſtine*, he was own'd for King, tho he had not been crown'd, the bare Proclamation of him being thought ſufficient to veſt him with all the Authority of a King: Conſequently all thoſe Acts were paſt in his Name, and by his Authority, only with this difference; that whereas when the King was preſent, the words *Teſte Rege*, or *Teſte me ipſo*, i. e. Witneſs the King or my ſelf, were underwritten; while he was abſent, the Subſcription was *Teſte W. Eborum Epiſcopo, Ed. Cornubiæ, & Gilb. Gloceſtriæ Comitibus*, i. e. Witneſs *W.* Biſhop of *York*, *Edward* Earl of *Cornwal*, and *Gilbert* Earl of *Gloceſter*, who were the three Regents of the Kingdom; or elſe they put, *Per manum W. Norton Cancellarii noſtri*, i. e. by the Hand of *W. Norton* our Chancellor.

Proviſion for K. Edward's *Coronation. P.* 21.

Among the firſt Acts, after the King's Return from the *Holy-Land*, we find one that aſcertains the neceſſary Proviſions to be made for the King's Coronation, every County being tax'd to furniſh a certain Quantity therein ſpecify'd. For example, *Gloceſterſhire* was oblig'd to furniſh 60 Beeves, 60 Hogs, 2 fat Boars, 60 Sheep, all alive; 3000 Capons and Hens, and 40 Gammons of Bacon; and other Counties in proportion, which were all to be brought to *Windſor*, and deliver'd to the Conſtable of the Caſtle, on pain of incurring the King's Diſpleaſure.

HERE we have a Memorandum of the Day, when King *Edward* arriv'd at *Dover*, and of that alſo on which he was crown'd. *A.* 1275. *P.* 34.

THERE's an Act in 1275, the third Year of this Reign, by which Sir *John Bohun* and his Lady reſign to King *Edward* the Serjeantſhip of his Chapel, and the Office call'd *Officium Spigornellorum*, of which I know not what to make. *Du Cange* ſpeaks of it, but he does not explain it to my liking; for he only quotes a Paſſage which ſeems to import that it was an Office belonging to the King's Chapel. Sir *Henry Spelman* mentions alſo in his Gloſſary, the word *Spigurnelli*, and quotes a Paſſage or two where 'tis us'd, but he does not ſay what it was *. *P.* 42.

ANNO 1277, King *Edward* writes to his Chief Juſtice in *Ireland*, that 8000 Marks were offer'd him to eſtabliſh the *Engliſh* Laws in that Country; and that he conſents to it, becauſe, ſays he, thoſe which the *Iriſh* make uſe of, are abominable in the ſight of God, and by conſequence ought not to be deem'd Laws. Mean time he orders him to get in the Money with all the Diſpatch poſſible. Iriſh *offer a great Sum to K.* Edward *to eſtabliſh the* Engliſh *Laws among 'em.* *P.* 78.

IN 1278, *Alexander* King of *Scotland* being upon a Journey to *England*, King *Edward* orders all the Bailiffs to take care that Proviſions be not ſold to him above the common Price. Such a Precaution is often wanted elſewhere, eſpecially in *Holland*. *P.* 124.

IT appears that the Kings of *England* formerly permitted Duels between private Perſons. *Duels permitted by the Kings of* England. *P.* 56, 157.

* THIS was the Office for ſealing the King's Writs, ſo call'd from *Gaſfridus Spigurnel*, who was appointed to the Office by King *Henry* III.

'TIS

Edw. I.

Guildhall *to whom it belong'd formerly.* *P.* 161.

'Tis recorded that *Guildhall*, now the Town-houſe of *London*, belong'd in the Year 1280 to *German* Merchants.

An Order to deſtroy Wolves. *P.* 168.

We find that formerly Wolves came down from the Mountains of *Wales*, which infeſted the neighboring Counties of *England*; for in the Year 1281, King *Edward* gave a Commiſſion to one *Peter Corbet*, to deſtroy all the Wolves he cou'd find in the Counties bordering upon *Wales*.

P. 427.

Here we have another Memorandum of the Day on which King *Edward* landed at *Dover*, when he return'd from *France* in 1289, after 3 Years ſtay in that Kingdom.

P. 785.

In 1297, there's an Act wherein King *Edward* excuſes himſelf to his Subjects, for loading them with heavy Taxes; and tells them the reaſon why he took away the Offices of Conſtable and Grand Marſhal from *Humphry Bohun*, and *Hugh Bigot*; in order to obviate the Reports which were ſpread abroad, that he did it becauſe thoſe Lords had made ſome Remonſtrances to the King for the publick benefit of the Nation.

P. 813.

In 1298, we find a Commiſſion from King *Edward*, to inquire into his Subjects Grievances, with a Deſign to redreſs them.

Pierce Gaveſton's *Baniſhment.* *P.* 1043.

In 1307, King *Edward* made *Gaveſton*, a Favourite of his Son *Edward*, take an Oath never to ſet foot again in *England*; and compell'd his Son *Edward* to take another Oath never to recall him. This Act may be of ſome Uſe to refer to in the following Reign.

King Edward's *Death.* *P.* 1059.

This King *Edward* dy'd the 7th of *July* 1307, of which here is a Memorandum.

The Jews baniſh'd.

By a Grant paſs'd in 1281, it appears that the High-Prieſt, or Head of the *Jews* Synagogue

gogue at *London*, was appointed by the King. In this Reign the Jews were all drove out of *England**. *A.* 1284.

VI. *Affairs betwixt King* Edward *and the Popes.*

IN this Volume there's a great number of Letters from *Edward* to the Popes, and likewiſe of Bulls from the Popes to the King. The Subject of moſt of thoſe Bulls and Letters, was an Expedition which *Edward* pretended he would make into the *Holy-Land*, that he might obtain Leave to raiſe the Tenths upon the Clergy of his Kingdom, as well as on thoſe of *Scotland* and *Ireland*: He endeavour'd to amuſe the Popes with this Pretence, during the whole Courſe of his Reign. The Popes, who were afraid of being bubbled, were willing enough to grant an Order for levying the Tenths; but they inſiſted that the King ſhould firſt of all take the

* DR. *Kennet*, in his Notes upon Mr. *Daniel's* Hiſtory of this Reign, after having obſerv'd that their High-Prieſt was confirm'd in his Office by the King, ſays the Jews came in with *William* the Conqueror, and were ſettled in certain Streets by themſelves in *London*, of which *Old-Jewry* was the chief; and that being always hated by the People for their Extortion and Uſury, they were rather tolerated than lov'd by our Kings, becauſe they now and then fleec'd them: but now they were grown ſo intolerable by their Witchcraft, Poiſoning, clipping of Money, counterfeiting Hands and Seals, crucifying of Children privately, and cruel Uſury, that nothing would ſatisfy the People but the utter extirpating them out of the Kingdom; to which King *Edward* did not very unwillingly conſent, becauſe they were allow'd to carry nothing away with them, except ſome ſmall matter to bear their Charges, and ſo left him a vaſt Treaſure. They went moſt of them into *Italy* and *Germany*. Dr. *Howel* ſays, 297 Jews were executed at *London* at one time, for defacing this King's Coin.

Croſs

Edw. I. Croſs upon him for the Holy War, and then they would conſent that he ſhould receive a part of the Tenths ſo rais'd, on condition that the reſt ſhould remain in the Hands of their Commiſſioners, to be diſpos'd of according to their Diſcretion, and always under the ſpecious Pretext of the Holy War; but this was what King *Edward* would by no means conſent to. If the Clergy of *England* were to be ruin'd, he was reſolv'd that no body ſhould be the better for it but himſelf; and this ſort of Game was carry'd on to the very end of his Reign. Sometimes the King and the Pope were good Friends upon this Subject, and at other times as much at variance: However it was, 'tis plain, by the Hiſtory of this Prince, that after he came back from *Paleſtine*, he never intended, in good earneſt, to go thither again.

Bulls and Letters betwixt K. Edward *and the Popes.*

THE Bulls and Letters betwixt the Popes and King *Edward*, upon this Subject, are to be found in theſe Pages, 119, 122, 202, 235, 259, 273, 316, 321, 323, 341, 413, 432, 459, 460, 475, 495, 499, 501, 509 to 523, 872, 876, 915, 968, 1006, 1036, 1039.

Pope's Receipts for the Tribute from England. *P.* 107, 267, 280.

IT appears by ſeveral Acquittances of the Popes, inſerted in this Collection, that King *Edward* punctually paid them that annual Tribute, for which King *John* engag'd himſelf to the See of *Rome* *. Indeed he once made an Attempt to alter the Nature of this Tribute, by propoſing to the Pope to aſſign the Revenues

* HERE Mr. *Rapin* ſeems to queſtion the Truth of a Quotation from *Cooke*'s Inſtitute, Fol. 13. inſerted in the Memorial preſented by the *Engliſh* Proteſtants to the Prince and Princeſs of *Orange*; which aſſerts, That King *Edward* I. refus'd this Tribute to Pope *Gregory* X. This Memorial was publiſh'd in *Holland*, and ſuppos'd to be written by Dr. *Burnet*, afterwards Biſhop of *Sarum*. Vide *Collection of State Tracts in K.* William's *Reign*, Vol. I.

of

of certain Abbeys in his Kingdom for the Payment of it; but the latter would not consent to it. *A.* 1274. *P.* 121.

AMONG others, here is a Bull of Pope *Gregory*, exhorting King *Edward* not to meddle with the Revenues of the Churches vacant in *Gascoigne*, in the Year 1274. *P.* 36.

AND in 1279, *Edward* on his part intreats Pope *Nicholas* not to usurp the Privileges of *England*. *P.* 130.

IN 1282, King *Edward* forbids his Subjects to export the Money, rais'd for the Service of the *Holy-Land*, out of the Kingdom. 'Tis not improbable that the Pope had a Design to lay hands on it. *P.* 201.

IN 1284, Pope *Martin* IV. issu'd a Bull for absolving King *Edward* of all Crimes which he had committed, as well during the Barons War in the Reign of his Father, as in the War against *Wales*. *P.* 272.

IN 1289, Pope *Nicholas* IV. issu'd a Bull for abrogating the Custom in *Scotland* of refusing to admit Foreigners into their Monasteries; and denying them, if not the Habits, at least the Honours of their Orders. *P.* 417.

NEXT Year King *Edward* complain'd to the Pope, of the Abuses committed by the Court of *Rome* in *England*, in Collations to Churches: and there's a Letter of the like nature from the Nobility. *P.* 493.

THE Pope's Answer, inserted in the next Page, is perfectly shuffling; and several Acts testify that the Popes continu'd their old Pranks. *P.* 494.

IN 1296, Pope *Boniface* VIII. issu'd a Bull, forbidding the Clergy to pay any Tax to their Princes without his Leave *. The Clergy of *Eng-* *P.* 706.

* THIS Bull is inserted likewise in *Foxe's Martyrology*, fol. 320. And the same Author tells us, That not long

Edw. I. *England*, thinking this Bull a ſufficient Warrant for them to refuſe the King the Money which he demanded, were out-law'd: which made them comply.

P. 787. NEXT Year, King *Edward* having caus'd ſome private Perſons Corn to be ſeiz'd, forbad the Archbiſhop of *Canterbury* to excommunicate his Officers that made the Seizure. And as 'tis probable that Prelate threatned them, notwithſtanding the King's Prohibition, we find in the very next Page an Order from his Majeſty, to commit to Priſon all Perſons that ſhould dare to publiſh the Excommunication.

P. 989, 1002, 1020, 1021. WE find afterwards, that King *Edward* complain'd againſt that Archbiſhop to the Pope, and that at laſt he caus'd him to be ſuſpended.

P. 844. IN 1299, Pope *Boniface* iſſu'd a very haughty Bull, wherein he ſets himſelf up for Judge of the Controverſy betwixt the King of *England* and the *Scots*: and not content with ordering *Edward* to ſend his Ambaſſadors to *Rome*, there to ſee the Determination of the Affair, he begins with a flat Lye; for he ſays, That 'tis publickly notorious that *Scotland has at all times been a Fief of the Church.* 'Tis from this Bull

long after, at a Parliament at *St. Edmondsbury*, an Eighth being granted to King *Edward* of all Cities and Boroughs, the Clergy, by reaſon of this Bull, ſtood out ſtoutly, and refus'd to pay a Farthing; and that inſiſting ſtill upon the ſame, in the next Parliament at *London*, the King was ſo offended, that he declar'd them *out of his Protection*, and that they ſhould have no Benefit of his Laws: and *juſtly* too, ſays our Author; for why ſhould they that will contribute nothing to the ſupport of the Government, expect any Advantage by it? As for *Pecham*, the Archbiſhop of *Canterbury*, who was the Ring-leader of the Nonſolvents, the King caus'd all his Goods to be ſeiz'd; which ſo terrify'd the reſt of the Clergy, that they freely contributed a Fifth of their Goods to his Majeſty's Uſe, and ſo were receiv'd into Favour.

that

that I took ſome of the Arguments which I have brought elſewhere againſt *Edward*'s Sovereignty over *Scotland*, in which Point 'tis probable *Boniface* had been inſtructed by the *Scots*. A. 1299.

To this there's a ſmart Anſwer from the *Engliſh* Nobility *, and the King return'd another every whit as ſharp, with a Writing inclos'd, in which he aſſerted his Sovereignty over *Scotland*, from the Proofs contain'd in the Paper preſented to the *Scots*, as above-mention'd: all the Difference is, that in this he traces the Sovereignty of *England* over *Scotland* farther back, *viz.* from *Brutus* the firſt fabulous King of *Britain*; whereas in the former, he goes no higher than *Athelſtan*, one of the *Saxon* Kings. He knew very well that the Pope would not trouble himſelf to examine all thoſe Facts. In 1306, the King ſent a Letter to the ſaid Pope, wherein he prays him not to uſurp the Rights of the Crown of *England*. P. 873, 883. P. 1026.

VII. *Acts relating immediately to* Edward I.

IN the Year 1284, *Philip* Count of *Savoy* granted Letters Patent, by which he conferr'd a Right on King *Edward* to nominate his Succeſſor to the ſaid County. P. 290.

GANDAY, in the Life of *Alphonſo* II. King of *Arragon*, ſays, That he might well be call'd the *Chaſte*, becauſe he was never marry'd: *Y dignamente ſe puede cognominar el Caſto, porque toda ſua vida vivio en caſtidad, ſin caſarſe jamas.* 'Tis true indeed, that he was never marry'd, or rather, that he did not conſummate his Marriage; K. Edward matches his Children.

* DR. *Howel*, in his *Medulla Hiſtoriæ Anglicanæ*, has given the Names of all the Subſcribers, to the number of a hundred Peers, which he calls *a Liſt of thoſe worthy Patriots who withſtood Papal Uſurpation.*

Edw. I. but it was not his Fault. We find in this Volume, that his Father *Peter* had agreed to a
P. 14. Match propos'd for him with the Princeſs *Eleanor*, the eldeſt Daughter of King *Edward*, *Anno*
P. 173. 1273. And his Agreement was confirm'd in
P. 187. 1281, by a Letter from King *Edward* to his Am-
P. 210. baſſadors, by the full Powers he gave them the
P. 349. Year following, and by Conventions that were paſs'd that ſame Year betwixt the two Kings. In 1287, King *Edward* promis'd by his Letters Patent to have the Marriage conſummated; but ſome Obſtacles retarded the Princeſs's being ſent into *Arragon*, and *Alphonſo* dy'd before ſhe arriv'd *.

P. 18. In 1273, we find alſo King *Edward*'s agreement to a Treaty of Marriage (during his firſt Voyage to *Guyenne*) betwixt his eldeſt Son *Henry*, and *Joan* the ſole Daughter and Heireſs of *Henry* King of *Navarre*; but the young Prince dy'd before he came of Age to be marry'd.

P. 70. Again in 1276, we find a Marriage concluded between *Hartman* Son of the Emperor *Rodolph*, and *Edward*'s ſecond Daughter *Joan*, but the Conſummation of it was prevented by *Hartman*'s Death. There's a great number of Pieces relating to this Marriage, in this ſecond Volume of the *Fœdera*.

P. 175. Here are alſo ſeveral Acts relating to a Marriage propos'd *A. D.* 1281, between *Alphonſo* Son of King *Edward*, and *Margaret* the Daughter of *Florence*, Count of *Holland*; but the young Prince dy'd at the Age of twelve.

* This was *Alphonſo* III. who, ſay the *Spaniſh* Hiſtorians, drove the *Moors* out of *Majorca* and *Minorca*, but was deſpis'd by his Subjects, becauſe of a ſcandalous Treaty he made with the Pope and the King of *Naples*: he dy'd of the Plague.

It

A. 1274.

IT wou'd be needleſs to make mention here of all the numerous Acts which relate to the Marriages or Propoſals of Marriages of the other Daughters of King *Edward*, or of his own with *Margaret* of *France*, and that of *Edward* his Son with *Iſabella* Daughter of *Philip de Valois*, in purſuance of the Treaty of *Monſtreuil*.

King Edward *challeng'd to a Tournament.*

THE *Engliſh* Hiſtorians ſay, that King *Edward* paſſing into *Burgundy*, in his Return from the *Holy-Land*, was challeng'd by *John de Chalon* * to a Tournament in that Province, that he accepted the Challenge, and that the *Burgundians* having play'd him an ill-natur'd Trick, the Tournament was chang'd into a real Combat, which was call'd the Skirmiſh of *Chalon*, in which King *Edward* had the Advantage. Here are two Bulls of Pope *Gregory* X. † who was then at *Lyons*, in which he exhorts King *Edward* not to be preſent at a *Tournament, which was to be in* France; which Bulls ſeem to have a Regard to this Tournament of *Chalon*, only a perplexity ariſes from the Difference of Dates, the Bulls being dated in the middle of the Year 1274, whereas *Edward* in his Return from *Paleſtine* muſt have enter'd *Burgundy* in 1273; ſo that 'tis very probable the Hiſtorians have miſtaken the Time.

P. 29, 30. *Pope endeavours to diſſuade him from accepting it.*

* DR. *Kennet* calls him the Count *de Chalons.*

† THIS Pope was choſe while he was in *Syria* with K. *Edward*, after the Chair had been vacant almoſt three Years; wherefore to prevent the Inconveniencies of ſuch tedious Elections for the future, in a Council held at *Lyons* in 1273, they contriv'd and ſettled the Form of the Conclaves.

Edw. I.

VIII. *Acts relating to different Affairs.*

Gaſton de Bearn's *Homage to King* Edward. *P.* 3.

It is agreed both by *French* and *Engliſh* Hiſtorians, that when *Edward* return'd from the *Holy-Land*, he went firſt to *Guyenne* in order to be recogniz'd by the *Gaſcons*, and that *Gaſton* Viſcount *de Bearn* refuſing to pay him Homage, he was ſent for to *Bourdeaux*, where he was arreſted, and at laſt compell'd to pay the Homage demanded. 'Tis ſurprizing that of ſuch a number of Acts in this Collection relating to *Gaſton de Bearn*, there is not one touching this Homage, but only about ſome Diſputes betwixt him and King *Edward*, in which the Vaſſalage of *Gaſton* is evidently ſuppos'd. For example, in 1273, *Gaſton* engages himſelf not to leave the King of *England*'s Court without his Conſent, on pain of loſing the Lands which he holds of him. This Dependance is farther ſuppos'd in one other Act of that Year, and in ſhort in all the reſt relating to *Edward*'s Differences with this Nobleman. 'Tis true that in *Page* 16. we find King *Edward* complaining that *Gaſton* had not obey'd a Summons that was ſent to him; but it does not follow from thence that he diſputed the Homage which he ow'd to King *Edward*. Yet this is what *Mezeray* aſſerts poſitively, and probably he had his Authoritys for it; but however it was, 'tis ſtrange that in none of the Acts of this Volume relating to this *Gaſton*, (ſpecify'd in the Margin) there is no mention of the Homage which 'tis pretended he refus'd.

P. 13. *P.* 14. *P.* 16. *P.* 25. *P.* 28. *P.* 93, 94. *P.* 106, 107.

P. 17, 143, 144, 145, 156, 178.

In the Year above-mention'd, we have the Proceſs of Pope *Gregory* X. againſt *Guy de Montfort*, Son to *Simon* the late Earl of *Leiceſter*, for having

having murder'd in the Church of *Viterbo*, *Henry* Son to *Richard*, King of the *Romans*, and Earl of *Cornwal*. This was done at the Sollicitation of this King *Edward*, Couſin to the ſaid *Henry*, who during his ſtay at *Rome*, in his return from the *Holy-Land*, obtain'd the Condemnation of the Murderers. As for the Conſequences of this Affair, which is in it ſelf of ſmall Importance, ſee the Pages in the Margin. *A.* 1273. *P.* 185, 188, 189, 192, 193, 197, 1068, 1069, *and* 1077.

As in the firſt Volume of the *Fœdera*, we find that the Earls of *Flanders* paid Homage to the Kings of *England* merely for Penſions; ſo we ſee the ſame thing in this with reſpect to the Counts of *Savoy*, *Burgundy*, and *Kaſenelle-bogen* in *Germany*. All the difference is, that the latter mortgag'd ſome of their Lands, which they own'd they held in Fief of the King of *England*, on the payment of a Penſion agreed on betwixt them. *P.* 1, &c. Vol. 1. and Numb. 1. *Acta Regia.* *P.* 12, 41, 56, 162, 663.

THE famous Civilian *Francis Accurſius*, Profeſſor at *Bologna*, was in the ſervice of K. *Edward*, who made uſe of him upon ſeveral Occaſions, and eſpecially in his Affair with the above mentioned *Gaſton de Bearn*. He likewiſe ſent him to the Court of *France* to ſupport his Intereſts in the general Aſſembly of the States of that Kingdom, and gave him an annual Penſion. *P.* 4, 25, 28, 37, 50, 52, 125, 180, 496.

THIS Extract is ſufficient to ſhew of what great Uſe the Acts contain'd in the ſecond Volume of the *Fœdera*, may be to all that have a mind to write the Hiſtory of *England*, or of the Countries with which it has had any Diſpute. Tho ſome of the Acts may appear of leſs importance than the others, nevertheleſs the Collector was certainly in the Right not to omit them, becauſe 'tis difficult to foreſee all the occaſions

Edw. I. for which any one of the Acts may be wanted *.

* It may not be improper to conclude this Reign with the general Character Mr. *Rymer* has given of it. in the Dedication of this ſecond Volume to the late Queen *Anne*.

'This ſecond Volume, 'ſays he, gives a View of 'what paſs'd worthy of Me'mory during the Reign of 'your moſt Noble Progeni'tor King *Edward* the Firſt, 'a Prince the *moſt Renown'd 'for Arms* in that Age.

'And *that* was an Age 'of much War and Action, 'and of many famous Cap'tains; among others *Al'bert* the *Great* Duke of 'Brunſwic; *William* the 'Great, Marquis of *Mont'ferrat*; *Amadeus* the *Great*, 'Count of *Savoy*; three of 'King *Edward*'s neareſt Kin'dred, and his Familiars: 'each of whom by their ſig'nal Conduct and Bravery 'had the Title *Great* added 'for their Sirname.' *Thus far* Mr. *Rymer*.

As to the firſt of theſe Heroes, he was the ſecond Son and Succeſſor to that *Otho*, who according to Mr. *Diſney*'s Genealogy of this Family was created Duke of *Brunſwic* and *Lunenburg* in 1235. by the Emperor *Frederic* II. whoſe Diploma is ſtill in the Archives of *Zell*. This *Albert* marry'd *Adelheid*, Daughter to *Henry* the *Magnanimous*, Duke of *Brabant*, whoſe Portion was to be paid by *Henry* III. K. of *England*, who adviſ'd him to the Match; as appears by a Letter at the end of this Volume, *p.* 1063, amongſt the *Acts omitted*, from the Ducheſs her ſelf to King *Edward*, wherein after congratulating him upon his Succeſs in the *Holy-Land*, and upon his Return from thence, and his Coronation, ſhe puts him in mind of the Portion which his Father had promis'd her with his Conſent; and *A. D.* 1280, after the Death of her Husband the Duke, ſhe wrote to him again, *p.* 1076. deſiring he wou'd take her Sons into his Protection. 'Tis obſervable that in theſe Letters ſhe calls her ſelf *Adelheid*, ſo that there muſt be a miſtake both in Mr. *Diſney*, and the *Atlas Hiſtorique*, who make *Adelheid* Daughter to the Marquis of *Montferrat*, *Albert*'s ſecond Wife, and the Mother of his Sons: And the Author of the Hiſtory of the Houſe of *Brunſwic Lunenburg*, printed at *London* in 1715, muſt alſo be miſtaken in calling her *Elizabeth*, ſince the contrary appears by her Letters in the Appendix to his Book; and p. 40. of the Book it ſelf, where he calls her *Adelhaiza*, and ſays ſhe was Queen *Leonora*'s Couſin, and marry'd in *England*. 'Tis farther obſervable, that this *Albert* her Husband muſt have had *Bremen*, for there's a Let-

Letter of his *p.* 1065. in 1276 to K. *Edward* I. in behalf of the Townſmen whom he calls his Subjects, there being then a Controverſy betwixt them and the *Londoners* about Trade. The *Atlas Hiſtorique* adds, that *Albert* made War upon *Gerrard* Archbiſhop of *Mentz*, and *Conrad* Count of *Eberſtein*, that he took them both Priſoners, and order'd the latter to be hung up by the Feet. He dy'd afterwards of a Wound he receiv'd in Battle againſt the Marquis of *Miſnia* in 1279, having had Iſſue ſix Sons and a Daughter.

THE ſame Author gives the following Account of the laſt of theſe Heroes, *viz.* *Amadeus* V. He defeated the Count of *Geneva* and Dauphin of *Vienne*, who made War upon him. He join'd with *Albert* of *Auſtria* againſt *Adolph*, who diſputed the Empire, and went afterward to aſſiſt King *Edward* I. againſt the *Scots*. He was ſucceſsful againſt the Marquiſſes of *Montferrat* and *Saluſſes*. Having made Peace betwixt the King of *France* and the Count of *Flanders*, he went with a powerful Fleet to aſſiſt the Knights of St. *John* of *Jeruſalem*, againſt the *Turks*, whom he defeated, took their Admiral, kill'd their Commander, ſunk moſt of their Brigantines and Galleys; and by this famous Victory ſav'd the Iſle of *Rhodes*, when it was juſt ready to ſurrender to the *Turks*. He had the Town of *Aſt* from the Emperor *Henry* VII. and was his Vicar in *Italy*. Thoſe of *Bern* and *Geneva* ſubmitted to him, and he was ſucceſsful over the *Dauphin* and ſeveral other Princes. When the Emperor *Henry* VIII. died, he was unanimouſly choſe at *Piſa* by the *Italians*, who pray'd him to mount the Imperial Throne; but he wou'd not accept it, and dy'd in 1323, after having made thirty two Sieges, and very much enlarg'd the Domain of *Savoy*.

WE *come now to give an Account of the* Third Volume *of the* Fœdera, *which Mr.* Rapin, *in order to communicate a more perfect Idea of the General Uſefulneſs of that noble* Collection *of* Records *than he had yet done, introduces after this manner.*

AS every one of the numerous Letters, Treaties, Proclamations, Memorials, Patents, and other Pieces of that kind, relating

to the *Engliſh* Hiſtory, which are inſerted in the *Fœdera*, bear the Dates not only of the Year, but of the Month and Day, there's no room to doubt but thoſe Dates muſt be of very great Uſe to illuſtrate Facts, and explain Paſſages even the moſt obſcure and perplexing. As we find that the Diſcovery of one ſingle Letter in a Cypher, leads us to find out a ſecond, and theſe two a third, juſt ſo the Date of an Act, be it of ever ſo little importance, helps us very often to range a Fact of more Conſequence in its due Place and Order. But what renders this Collection ſtill more valuable, is, that it mentions the Dates of Place as well as Time, which is of no little Service to the Reader, becauſe he is thereby enabled as it were to trace the Prince from one Place to another, from the beginning to the very end of his Reign.

BEFORE I had duly conſider'd this Advantage, I thought with my ſelf that Mr. *Rymer* was a little to blame, and wonder'd that he ſhou'd ſwell his Collection with a very great number of Pieces which at firſt View ſeem'd to be of little Conſequence, if not altogether unneceſſary; but after maturer Reflection, I am convinc'd that there's not one Piece in the *Fœdera* but what may be of Uſe, eſpecially to ſuch as wou'd write the Hiſtory of *England*.

THE Hiſtory of *France* is capable likewiſe of receiving great Lights from it, by reaſon of the Connection it has with the Hiſtory of *England*, on account of the Affairs that have been frequently tranſacted between theſe two Kingdoms in particular. For my own part I have diſcover'd that the beſt Hiſtorians of *France* may be often improv'd by the help of this Collection.

I SAY

I SAY the ſame thing of the Hiſtory of *Scotland*, the Hiſtorians of that Country having err'd many times in Dates, and even in certain Facts, as I cou'd eaſily inſtance more than once in *Buchanan*.

THE Affairs which *England* had from time to time with the Princes of the *Netherlands*, occaſion'd the inſerting of ſome Pieces in this Collection, which probably never came from the Archives of thoſe Princes; ſuch as Letters, Treaties, and other things which may be uſeful for the Hiſtory of thoſe Provinces.

WE need only look back to the firſt and ſecond Volumes of this Collection, to be convinc'd how the Hiſtory of *Sicily* may be illuſtrated with a great number of Particulars there mention'd, of which one does not ſee the leaſt Trace in the Hiſtorians either of *Sicily* or *Naples* *.

THE Hiſtories of *Caſtile*, *Arragon* and *Portugal*, may alſo be furniſh'd from this Collection with certain Facts that were not known to their beſt Hiſtorians, or elſe were never well explain'd; of this we had an Inſtance in the ſecond Volume, with reſpect to the Duel intended betwixt the Kings of *Arragon* and *Sicily* †.

THOSE who undertake to write the Lives of the Popes, may alſo find in it the Popes Briefs or Bulls, and the Letters to them from the Kings of *England*; which, beſides the particular Facts they contain, may be of vaſt help to them, were it only for the exactneſs of the Dates.

IN ſhort, ſeveral private Perſons may here find Circumſtances they knew nothing of before

* Vide p. 32, 35 *to* 39, 41, 48 *to* 51. *of* Acta Regia, *for* September.

† *See* p. 50. *of* Acta Regia, *for* September.

relating

Edw II. relating to their Families, or the Persons of their Ancestors, which is no little Satisfaction; tho indeed 'tis what scarce any will be the better for but the *English* and the *Gascons*: I say the *Gascons*, because *Guyenne* having been for a long time under the Dominion of the Kings of *England*, there's a multitude of Pieces in the *Fœdera* which relate to that Province.

'TIS plain therefore that this Collection is of vast use to those who affect the study of History, and particularly that of *England*; for which reason such can never enough extol the Bounty of that August Queen who made them so fine a Present, or the Generosity of those Noblemen who procur'd it. If all other Nations wou'd follow this Example, one might have a History of the several States of *Europe*, at least as to what relates to the seven last Centuries, as perfect as cou'd be wish'd.——Thus far Mr. *Rapin*.

WHEN Mr. *Rymer* waited on her late Majesty with his third Volume, he address'd her with a Dedication so descriptive of the Reign it refers to, that we cannot help quoting a part of it as a necessary Preface to the Account which follows it.

'IN this *Volume* You present the World with 'the *Acts of State* in the Reign of King *Edward* 'II. in a very nice Juncture, or time of great 'Struggling and Difficulty, of great Trouble 'and Disorder all *Europe* over; your three King-'doms had each their share, and drank deep 'of the bitter Cup.——In this the darkest Pe-'riod of Time, from your Royal Archives you 'set up as it were a *Pillar of Fire*, for the direc-'tion of Travellers in their way to Truth; and 'with an unparallel'd Bounty give out, and 'make such Provision, that in this uncultivated,

'in

'in this ſo barren Tract, in this very *Deſart*, 'the Curious want not for their Entertainment, 'not to ſay their *Quails* and their *Manna*.

'AMONGST the Negotiations in this Book 'publiſh'd, may be noted, that during the moſt 'unproſperous and diſaſtrous Adminiſtration, 'amidſt the greateſt Confuſion, and diſmal 'Jumble of Affairs (ſo it pleas'd Almighty 'Providence) that with *William the Third*, ſir-'nam'd *the Good* *, Count of *Holland*, was con-'tracted an Alliance, whereby thoſe Meaſures 'were concerted, which in the next ſucceeding 'Reign carried the *Engliſh* Arms into *France*,

* HE was the ſecond Earl of *Hainault*, that was ſtil'd Earl of *Holland*, *Zealand* and *Frieſland*; which Provinces, according to *Guicciardine*'s Hiſtory of the *Netherlands*, fell to his Father by Marriage. This was a gallant Prince, and for his Piety, Juſtice and Mildneſs, had the Surname of *Good*; as his Brother *John*, who was kill'd by the *Flemings*, was for his contrary Temper ſurnam'd the *Mercileſs*. In his Reign *Holland* was afflicted with a Plague and Famine, which deſtroy'd many of their People. In 1328, *Philip* of *France*, by the aſſiſtance of this Earl, obtain'd a great Victory over the *Flemings* at *Mount-Caſſel*, where they loſt 10000 Men. There's a memorable Story of an Act of Juſtice done by this good Earl not long before his Death upon the Bailiff of *South-Holland*, who had taken away a poor Man's Cow (he refuſing to ſell her, becauſe ſhe gave Milk enough to ſubſiſt his Family) and ſent him another in exchange, that was not to compare with her. The Earl commanded the Bailiff in the firſt place for the Wrong done to the Countryman, to pay him 100 Crowns, and afterwards for the Injury done to himſelf and his Government, to be beheaded. He reign'd 33 Years, and had by his Wife *Jane* of *Valois*, 3 Sons, *William*, *Lewis*, and *John*, with 4 Daughters, *Margaret* Ducheſs of *Bavaria* and Empreſs, *Joan* Counteſs of *Juliers*, *Philippa* Queen of *England*, and *Elizabeth*. He adviſ'd his Son *William* upon his Death-bed to maintain Peace with his Neighbours, and lay no grievous Impoſitions on his Subjects.——See the *Atlas Hiſtorique*.

Edw. II. ‘ to *Creſſy* and to *Poictiers*; and thence brought ‘ the *French* King from the Field of Battle into ‘ this your Kingdom Captive.’

'Tis time now to return to Mr. *Rapin*'s account of the Third Volume of the *Fœdera*, which takes in the firſt ſixteen Years of the Reign of *Edward* II. The Method obſerv'd by the Collector in ranging all the Acts according to their Dates, tho upon different Subjects, is ſomewhat confounding to ſuch as have not the Events to which thoſe Acts relate, freſh in their Memory. To remedy this Inconvenience in ſome meaſure, and to give a more diſtinct Idea of the moſt important Articles in the Third Volume, I will range the whole under four Heads, which take in the chief Contents of this Volume.

I. The Domeſtic Troubles of *England* upon account of *Gaveſton*, and the *Spenſers*, who were King *Edward* II*d's* Favourites.

II. The Tranſactions betwixt this Prince and *Scotland*, which are a continuation of the Account taken from the ſecond Volume.

III. The Diſputes with the Court of *Rome*, and other Eccleſiaſtical Affairs.

IV. The Affair of the Knights Templars, whoſe Order was aboliſh'd in this Reign.

Article I. *The Domeſtic Troubles of* England.

King Edward II*'s Character.*

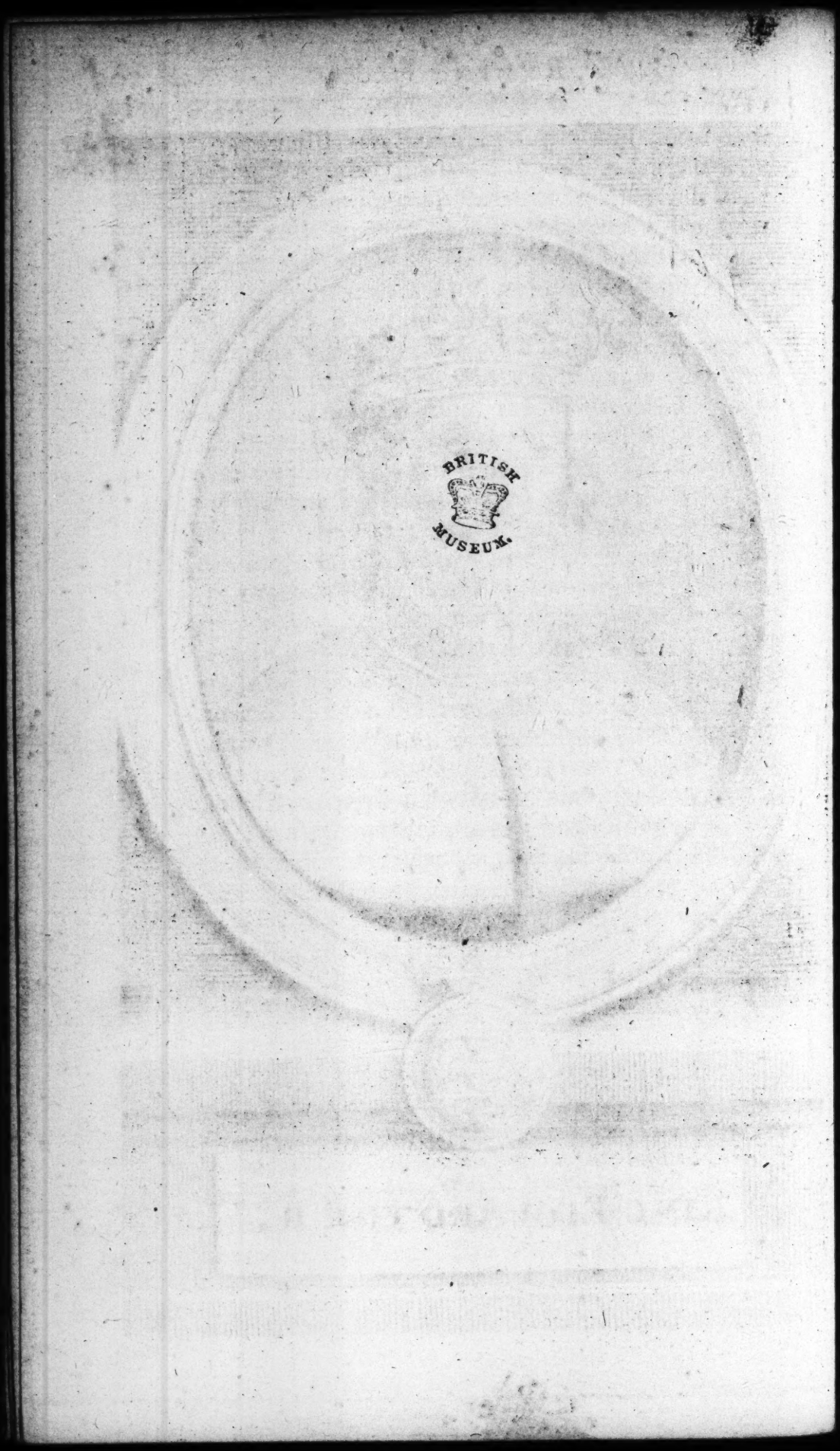
EDWARD II. was a weak Prince, of a mean Genius, who engag'd readily in Affairs, without conſidering the Conſequences, and without the neceſſary Abilities to extricate himſelf out of the Difficulties into which he plung'd. His exceſſive Attachment to *Gaveſton*,

Hiſtory of his Favourite Gaveſton.

a



KING EDWARD THE II.ND


BRITISH MUSEUM

a Gentleman of *Gaſcoigne*, to whom he entirely abandon'd himſelf, and upon whom he heap'd his Favours without meaſure, embroil'd him with the moſt conſiderable Lords of the Kingdom, who united together to ruin the Favourite. In ſhort, they demanded his Removal, and the King promis'd it, but afterwards did all that was in his Power to be excus'd from his Engagement: and when he cou'd not come off any other way, he found means to turn his Favourite's Baniſhment to his Advantage, by making him Governor of *Ireland*; an Expedient with which the Nobility wou'd however have been well ſatisfy'd, if his extreme Fondneſs for *Gaveſton* had not induc'd him to recal him almoſt as ſoon as he had ſent him over, and not only ſo, but to bring him to a Tournament, where that imprudent Favourite eclips'd all the other Lords by the Splendor of his Equipage, and the numerous Train of Gentlemen who attended him, both as his Companions and Guards. The Nobility finding themſelves deceiv'd by the King, took new Meaſures. Being aſſembled in Parliament, they preſented a Petition to him, ſetting forth in plain Terms that the State and his Houſhold were both ſo ill govern'd, that there was a neceſſity of a proper Regulation; and therefore they pray'd him to let them chuſe a certain number of Perſons who might be impower'd to make Rules for better governing the State and the King's Houſhold, and to cauſe the ſame to be duly obſerv'd. *Edward* being in no condition to reſiſt them, granted what he did not dare to refuſe: whereupon the ſaid Commiſſioners, of whom *Thomas* Earl of *Lancaſter* was Chief, were choſe, and went by the Name of *Ordainers*. They made a Regulation, and had the neceſſary Powers from the King and Parliament *A.* 1312.

ment

Edw. II.

ment, to cauſe it be obſerv'd. There was no mention in it of *Gaveſton*; but the *Ordainers* ſeeing that the King continued to heap his Favours upon him, made a new Regulation containing 41 Articles, by one of which *Gaveſton* was condemn'd to perpetual Baniſhment, and the King was oblig'd to conform to it.

Inſurrection of the Barons.

This Prince had ſcarce given Conſent to the Exile of his Favorite, but he repented of it, and re-call'd him without ſaying any thing to the *Ordainers*; which made the Barons riſe. They took Arms *, and march'd with the Earl of *Lancaſter* at their Head towards *York*, where the King then was, in order to force him to deliver up *Gaveſton*. Upon the Report of their coming, *Edward* retir'd to *Newcaſtle*; but when he heard that the Barons Army was advancing that Way, he thought it unſafe to ſtay there any longer; and being more afraid for his Favourite than for himſelf, he quitted that Town, and carried him to *Scarborough* Caſtle, then the ſtrongeſt Place in all the *North*, where he left him, and went himſelf for *Warwick*, intending to aſſemble an Army there to oppoſe the Barons. The latter arriv'd at *Newcaſtle* the very Day that the King left it; and after pillaging his Moveables and Baggage, ſent a Detachment to beſiege *Scarborough*. The Earl of *Pembroke*, who had the Care of this Siege, carried it on with ſo much Vigour that *Gaveſton* was oblig'd to capitulate †, on condition he might have Leave to

* Dr. *Kennet* in his Notes upon Mr. *Daniel*'s Hiſtory of this Reign ſays, that the Biſhops were ſuch zealous Confederates in this Action, that the Archbp. of *Canterbury* excommunicated *Walter* Biſhop of *Coventry*, becauſe out of a Loyal Principle he refuſed to join with them.

† Dr. *Brady* affirms, upon a Record in the *Tower* which he

to ſpeak with the King, and be tried according to the Laws and Cuſtoms of the Realm. The Confederate Lords were not very well ſatisfy'd with this Capitulation; but the Earl of *Pembroke* having engag'd upon his Honour to carry *Gaveſton* to the King, and afterward to bring him back to the Lords, they at length conſented, notwithſtanding the Oppoſition made by the Earl of *Warwick* and ſome others. As the Earl of *Pembroke* was upon the Road with his Priſoner, the Earl of *Warwick* hearing that *Gaveſton* was in a Caſtle where there was not Accommodation for *Pembroke*, went thither in the Night, forc'd the Guard, took and carried the Priſoner to his own Caſtle of *Warwick*, and there cut off his Head †. *A.* 1312.

Gaveſton's Tragical Exit.

How nettled ſoever *Edward* was, by the Affront which he had receiv'd, he was again oblig'd to ſue to the Barons for a Peace, by the Mediation of two of the Pope's Legates, who happen'd to be in *England*. By the Agreement which was concluded not long after, the Lords engag'd to make the King publick Satisfaction, and to reſtore all the Plunder carried off from *Newcaſtle*, together with the Jewels taken from *Gaveſton*. And the King, on his Part, promiſed to grant an ample Amneſty to the Barons and all their Adherents. The Barons executed their Part ſpeedily, and *bonâ fide*; but the King delay'd almoſt a Year, before he publiſh'd the promis'd Pardon; which made the Lords ſo diffident of him, that the Troubles would have

Peace betwixt the King and the Barons.

he mentions in his Appendix to his *Comp. Hiſt.* that *Gaveſton* did not ſurrender to the Earl of *Pembroke*, but to the Lord *Piercy*; and this is confirm'd by an Act in the 3d Vol. of the *Fœdera*, p. 334.

† Dr. *Kennet* ſays, this was done on the 19th of *June*, 1312.

broke

Edw. II. broke out afreſh, if *Edward*'s Father-in-law, the King of *France*, had not ſent his Brother, the Count *d'Evreux*, into *England*, along with *Enguerrand de Marigny*, who obtain'd of the King, that the Amneſty ſhou'd be publiſh'd.

So much for the Firſt Part of the Domeſtick Troubles, which ended in *October* 1313: They were indeed attended with ſome Conſequence in the following Years, to 1318; but 'tis not worth while to inſiſt upon it.

The Hiſtory of the Spenſers. In the Year 1314, freſh Troubles aroſe between the King and his Nobles, upon account of a new Favourite, *viz.* *Hugh Spenſer*, who made the ſame ill Uſe of his Favour as *Gaveſton* had done before: He got his Father, *Hugh*, to be made Earl of *Wincheſter*; and they two govern'd the whole Kingdom, *Edward* blindly approving every thing they did. The Earl of *Lancaſter*, who, after his Reconciliation with the King, receiv'd a terrible Affront from that Prince, made the great Favour of the *Spenſers*, a Pretext to renew the Confederacy of the Barons: He rais'd Troops, and caus'd the Lands of the ſaid Favourites to be waſted by *Roger Mortimer*, jun. who committed as much Spoil on them as amounted to 60000 *l.* Sterling. This done, the Lords publickly demanded the Baniſhment of the *Spenſers*, which the King did not dare to refuſe, when he ſaw that the Commons of *England* took their Part. *Spenſer*, jun. was carried to *Dover*, and there put on board *, the Father being at that time abſent from the Realm about the King's Affairs. This Prince now found

* *Adam Murymuth* in his Hiſtory of this King, in *Magdalen* College Library, *Oxon*, writes, that the younger *Spenſer* turn'd Pirate, and robb'd all the Merchant Ships he cou'd meet with.

himſelf in a very miſerable Plight, being forc'd to receive Law from his own Subjects, and not knowing which way to extricate himſelf from ſuch a State of Slavery; but at laſt a new Affront which the King receiv'd from one of the Confederate Lords, drove his Patience to its Extremity, and made him reſolve to ſhake off a Yoke ſo diſagreeable. A. 1314.

King Edward's Queen groſly affronted. P. 897.

His Queen intending a Progreſs to *Canterbury*, order'd her Officers to provide a Night's Lodging for her upon the Road, at a Place call'd *Leeds*-Caſtle, belonging to *Bartholomew Badleſmere*, one of the Confederate Lords; but *the Governor of the Caſtle deny'd Entrance to the Queen's Servants, ſome of whom were kill'd: Upon which her Majeſty complain'd of it to *Badleſmere*; but he had the Inſolence to approve of the Governor's Action, and to ſay, *That he had done nothing but by his Orders.* *Edward* cou'd not ſtomach ſuch a groſs Affront as this was; but rais'd Troops, went and beſieg'd *Leeds* Caſtle, and hung up the Governor. And having this Power in his Hands, he laid hold of the Opportunity, and puſh'd the Confederate Lords, without giving them time to look about; ſo that after having got moſt of their Caſtles in his own Hands, they were glad to ſubmit to his Will and Pleaſure; and then he made no Scruple to recall the *Spenſers* to Court.

* Thomas Culpeper.

Earl of Lancaſter's Rebellion and Death.

The Earl of *Lancaſter*, who was afraid to truſt the King, rais'd Troops in his own Defence; but being abandon'd by moſt of his Friends, he was not in a Condition to make head againſt him, which made him reſolve to withdraw to the *North*, and join the *Scots*, who had promis'd him Aſſiſtance. The King purſued him; and as the Earl, to avoid a Battle with him, endeavour'd to force the Paſſage of a

Edw. II. Bridge which was kept by *Harclay* †, he was taken Priſoner and carried to *Pontefract*, where the King took off his Head. This Lord, who was King *Henry* the Third's Grandſon, was cried up for a Martyr by the Populace, and was afterwards canoniz'd for a Saint in the Reign of *Richard* II. *

THIS is the Sum and Subſtance of the Acts of this Volume, which relate to the Domeſtick Troubles of *England*, as far as comes within the firſt ſixteen Years of the Reign of *Edward* II. the four others being referr'd to the 4th Volume of the *Fœdera*.

AMONG all theſe Pieces, which are very numerous, I ſhall but barely point out the chief that have a relation to the Events abovemention'd.

Edward's *Gifts to* Gaveſton. *P.* 1, and 87, 136, 164.

IN this 3d Volume of the *Fœdera*, we have the great Gifts which *Edward* made to *Gaveſton*, particularly the Earldom of *Cornwall*, the City of *Exeter*, and fifteen other Territories or Caſtles; which made him in an inſtant the greateſt Lord in the Kingdom.

THE firſt of thoſe Acts is dated from *Dumfrize* in *Scotland*, the 5th of *Auguſt* 1307, *viz.* a Month after the Death of *Edward* I. who had baniſh'd *Gaveſton* but a little while before, and

† Sir *Andrew Harclay*, Conſtable of *Carliſle*.

* The People flock'd in Pilgrimage to his Tomb at *Pontefract*; and after the *Spenſers* had got the King to order a Guard, to prevent their coming, they did it privately. In the next Reign a Church was built over his Tomb, and Queen *Iſabel* wrote to the Pope, to juſtify the Miracles done there, and to deſire his Canonization; which was granted *A.* 1389. An Honour, which indeed he deſerv'd much more than any of his Countrymen, who had acquir'd it ſince the Conqueſt; for if the Love of his Country may be call'd Piety, he was truly, and unalterably, a pious Man. *Dr.* Kennet's *Notes on Mr.* Daniel.

made

made his Son take an Oath that he wou'd never recal him. *A.* 1307.

HERE is alſo a Patent conſtituting *Gaveſton*, *Cuſtos Regni*, that is to ſay, Viceroy of the Kingdom during the King's Abſence in *France*, whither he went to conſummate his Marriage with *Iſabel*, Daughter of *Philip the Fair*. 'Tis ſign'd by the King at *Weſtminſter*, *Dec.* 26. 1307. *He makes him Viceroy of the Kingdom.* P. 47.

I HAVE taken particular notice of this Act, to ſhew the Error of moſt Hiſtorians *, who affirm that *Gaveſton* accompany'd the King into *France*; and, in particular, Father *Orleans*, who ſays, that the firſt time the King ſaw *Gaveſton* after his Baniſhment, was at *Boulogne*: Which cannot be, for he was then *Cuſtos*, or Viceroy of the Kingdom; and, in the *Fœdera*, there are ſeveral Orders ſign'd by him in that quality during the King's Abſence, with this Subſcription, *Teſte* Gaveſton. *A miſtake in our* Engliſh *Hiſtorians rectify'd.* P. 57.

IN a Memorandum relating to the Coronation of *Edward* II. we find that *Gaveſton* carried St. *Edward*'s Crown at that Solemnity †. P. 63.

IT was not long after, that the Lords demanded that *Gaveſton* might be baniſh'd; and here are the King's Letters Patent dated at *Weſtminſter*, May 18. 1308, in which he engag'd, that he ſhou'd be out of the Kingdom by the Feaſt of St. *John the Baptiſt* next enſuing. P. 80.

ON the 7th of *June* following, *Gaveſton* and his Wife, who was the King's Niece ††, receiv'd a Pre- P. 87.

* This is an Error which has eſcap'd the Correction of the Learned Annotator upon Mr. *Daniel*'s Hiſtory of this Reign, as well as of Dr. *Howel*, and other celebrated Hiſtorians.

† It was perform'd *Feb.* 25. 1307-8. Thomas Wike's *Chron.*

†† She was the Daughter of *Joanna* of *Acres*, Siſter of *Gilbert* Earl of *Gloceſter*, who was againſt the Match, ac-

Edw. II. a Preſent from that Prince which was worth 3000 Marks a-year, in Caſtles, Lands, and Tenements: The Grant is dated at *Langelye*.

P. 92. And on the 16th of the ſame Month, he made him Governor of *Ireland*, by Letters Patent dated at *Reading*.

P. 136, 164. After *Gaveſton*'s return, we find that the King conferr'd many Grants upon him *.

P. 204. The King's Order for eſtabliſhing the Ordainers, is dated at *Weſtminſter*, March 16. 1310. †

The ſecond Regulation they made conſiſting of 41 Articles, one of which ſentenc'd *Gaveſton* to perpetual Baniſhment, is not to be met with here: but there are ſome Acts afterwards, which ſeem to confirm that there was ſuch a Regulation; and probably it was made in the Year 1311.

P. 278. We find afterwards a Protection for *Gaveſton*'s coming to Court, by the King's Order, dated *Oct.* 8. 1311, at *London*.

P. 294. The Lords complaining of his being recall'd, he lurk'd about *incog.* and the King was forced to grant a Warrant for diſcovering and apprehending him; 'tis dated at *Weſtminſter*, *Nov.* 30. 1311.

P. 298. The King recall'd him again, and ſent an Order to all the Sheriffs, to make Proclamation

cording to *Kennet* upon *Daniel*; but his Notes upon that Hiſtory differ from the *Fœdera*, both in her Name, and in the Date of her Marriage, *October* being miſtaken for *June*, and *Joanna* for *Margaret*.

* One of the Patents for this Purpoſe is dated at *Weſtminſter*, May 15. 1309. Another, the 28th of *Auguſt* ollowing.

† Mr. *Rapin* has miſtaken this Act for the Firſt that was made by the *Ordainers*, which contains ſix Articles, and is dated at *Northampton* the 2d of *Auguſt*.

in

in their reſpective Counties, that he look'd upon *Gaveſton* as a good Subject: 'Tis dated *Jan.* 18. 1312, at *York*. *A.* 1312.

AFTER this Favourite was beheaded, the King iſſued an Order for apprehending of thoſe who were guilty of his Death: 'Tis dated *July* 31. 1312, at *London*. *P.* 334.

AN Accommodation being made between the King and the Lords, towards the end of that Year, the Lords reſtor'd the Jewels, *&c.* that were taken from *Gaveſton*; which, according to the Liſt given of them in above five Pages, and the Weight and Price therewith mark'd, were very great both in Number and Value, and it appears that many of them belong'd to the King or the Crown: The Acquittance, or Royal Receipt for them, is dated *Feb.* 27. 1313, at *Windſor*. Gaveſton's *immenſe Wealth in Jewels.* *P.* 388, *&c.*

AFTER this, we meet with two Amneſties, the one for thoſe who had favour'd *Gaveſton*'s Return, and the other for the Confederate Lords, to the Number of 468; each of which had a particular Pardon to himſelf, Word for Word the ſame with the reſt: They are dated *Oct.* 16. 1313, at *Weſtminſter*. *P.* 442, 443.

THUS an End was put to the firſt Troubles of this Reign.

AS for the ſecond Period of Troubles, we find certain Orders made by the King, to inquire into, and ſuppreſs the Confederacies which were form'd at *London* and elſewhere, againſt the *Spenſers*: They are dated at *Weſtminſter*, *Jan.* 14. and 30. 1320. *P.* 866, 867.

ON the 20th of *Auguſt* 1321, we have the King's Letters Patent, containing the Reſolution of the Parliament at *Weſtminſter* againſt the *Spenſers*. *Parliament's Reſolution againſt the* Spenſers. *p.* 891.

Edw. II. ON the 16th of *October* following, there's the Letter from *Edward*, dated in the *Tower* of *London*, giving an Account of the (above-mention'd) Affront put upon his Queen at *Leeds* Caſtle, and the inſolent Anſwer of *Badleſmere*.

P. 897.

P. 898. There's a Proclamation of the ſame Date, giving notice that the King did not raiſe Troops to make War againſt his Subjects, but only to puniſh the Governor of *Leeds* Caſtle.

P. 907. THE Recalls of the *Spenſers* are dated *Dec.* 8. at *Weſtminſter*, and *Dec.* 26. at *Cirenceſter*.

P. 936, *&c.* THE Trial and Condemnation of the Earl of *Lancaſter* at *Pontefract*, is dated *May* 2, 1322, at *York*.

P. 1033. THERE's a Letter from *Edward* to the Biſhop of *London*, ordering him to put a ſtop to the Devotion which the People paid to the Picture of the Earl of *Lancaſter*, which was hung up with many others in St. *Paul*'s Church: 'Tis dated *June* 28, 1323, at *York*.

THESE being the chief Acts which are contain'd in the Collection under this Head, I leave the reſt, and proceed to

ARTICLE II. *Of the Affairs of* Scotland.

The Death of King *Edward* I. was the Preſervation of *Scotland*; for after he had already conquer'd that Kingdom three times, he return'd thither with an abſolute Intention to put it out of the Power of that Nation to revolt a fourth time; but Death prevented the Execution of his Deſigns. That was the Affair he had moſt at Heart during his whole Reign, and what he moſt vigorouſly recommended to his Succeſſor: But *Edward* II. was otherwiſe diſpoſed; for about a Month after the Death of his Father, he quitted *Scotland*, into which he was advanc'd as far

far as *Dumfriez*, and leaving his Army in the Hands of *Cumin*, a *Scotſman*, he return'd into *England*, to conſummate his Marriage, and be crown'd. In 1308, *Robert Bruce*, the new King of *Scotland*, being dangerouſly ill, *Cumin* took that Opportunity, and advanc'd to attack him. *Robert*, ſick as he was, ſtood his Ground, beat him, and drove him out of the Kingdom: *Edward Bruce*, his Brother, won another Victory likewiſe, in the County of *Galway*; which put the Affairs of the *Scots* in a very good Situation. *A.* 1308.

Cumin *defeated by* Bruce.

THE King of *England* return'd into *Scotland* next Year with a powerful Army; but for want of having concerted proper Meaſures to ſubſiſt it, he was oblig'd to return without ſtriking a Blow.

IN the Years 1310 and 1311, *Robert* enter'd *England* ſeveral times, and carried off great Booty.

Bruce *enters* England;

IN 1312, he took *Perth* alias St. *Johnſtoun*, *Dumfriez*, *Lanerk*, *Roxbourgh*, and at laſt *Edinburgh*; while *Edward* was ſo haraſs'd with domeſtick Broils, that he was not in a Condition to oppoſe his Progreſs.

Returns and takes Towns in Scotland.

IN 1313, he caus'd the ſtrong Town of *Sterling* to be beſieg'd by *Edward* his Brother; the Governor of which, after a brave Defence, capitulated, and promis'd to ſurrender the Place if it was not reliev'd in a Year; that is to ſay, before the Feaſt of St. *John Baptiſt* in the Year following.

IN 1314, *Edward* put himſelf at the Head of an Army of 100000 Men, in order to go and raiſe the Siege; but was beat by *Robert*, and loſt 50000 Men, if we may believe the *Scots*

Deſeats K. Edward *at* Sterling.

Edw. II. Hiſtorians: after which time the *Engliſh* generally acted defenſively *.

His Brocher's Succeſs in Ireland.

In 1315, *Robert* ſent his Brother to *Ireland*, to ſupport the Natives, who had rebell'd againſt *Edward*; and his Brother made ſuch a Progreſs there, that he was at length crown'd: But after having liv'd in that Iſland almoſt three Years, he was kill'd there in Battle, at a time when *Robert* was haſtning to his Aſſiſtance.

In 1317, Pope *John* XXII. ſent Legates into *England*, to make a Peace betwixt the two Kings, and by his ſingle Authority caus'd a Truce to be proclaim'd for two Years; but *Robert*, who was never once conſulted about it, made a Jeſt of the Pope's Proclamation, and took *Berwick*; for which the Legates excommunicated him.

In 1318, he was oblig'd to paſs over into *Ireland*, to relieve his Brother, whom he found there dead. The King of *England* took the Opportunity of his Abſence to beſiege *Berwick*; and while he was employ'd in that Siege, the Earl of *Murray*, General of *Scotland*, enter'd *England* at another Place, and defeated the

General Murray's *Expedition to* England.

* Dr. *Kennet* in his Remarks upon Mr. *Daniel*'s Hiſtory of this Reign, ſays, this was call'd the Battle of *Bannockbourn* (on the Banks of which River it was fought the 25th of *June*, 1314.) and is remark'd by our Hiſtorians as a Divine Puniſhment of the Leudneſs and Exceſſes of the *Engliſh* Army, who ſpent the Night before the Battle in Drunkenneſs and Intemperance; but as a Reward of the Piety of the *Scots*, who enter'd upon it with ſolemn Confeſſions, and receiving the Sacrament: wherefore God gave them ſuch a miraculous Victory, as ſo few Hands, without a ſpecial Aſſiſtance of God, cou'd not have effected. ——— Dr. *Howel* ſays alſo, that the *Engliſh* in this Expedition, had adorn'd themſelves as for a Triumph, with all ſorts of Riches, Gold, Silver, and the like, in a kind of wanton manner, correſponding to the Prince they follow'd.

Militia

Militia of *Yorkshire*, consisting of 10000 Men, which oblig'd the King of *England* to raise the Siege of *Berwick*. *A.* 1319.

THE Year 1319 was spent almost intirely in Negotiations, which were follow'd with a Truce for two Years. *Truces betwixt the two Nations.*

AT the Expiration of the said Truce, in the beginning of the Year 1322, the *Scots* enter'd *England*, and carry'd off great Booty.

AT length in *May* 1323, a Truce was concluded betwixt the two Nations for thirteen Years.

THESE Matters are the Subject of the Acts of this Third Volume relating to *Scotland*.

THO there's no express mention in those Acts of the Losses sustain'd by the *English*, yet there are several which manifestly imply that they were very great; as for Instance, *Orders* repeated every Year *for raising Troops*, and to prepare Armies against *Scotland*: which is a sign that the Affairs of the *English* in that Country were not in the most flourishing state; for 'tis said in most of those Orders, that it was to *repel* the *Scots*. One of the most express Acts, which supposes the Loss of the Battle at *Sterling*, is a Commission to the Earl of *Pembroke* to take upon him the Command of the Army; which Commission, it must be observ'd, is dated at *York*, *August* 10, 1314. The King's words are these, *Ad refrænandam Scotorum inimicorum & rebellium nostrorum obstinatam malitiam, qui flagitiis per ipsos in terra nostra Scotiæ, ac in propinquis finibus Regni nostri Angliæ, diversimode perpetratis, non contenti, ipsum Regnum jam hostiliter, in nostri, ac omnium Fidelium nostrorum dedecus, opprobrium & dispendium, sunt ingressi, ibidem homicidia, depræ-dationes, incendia, sacrilegia, & mala innumerabilia committendo*: i. e. To restrain the obstinate Malice of our rebellious Enemies the *Scots*, who Edward's *Commission to E. of* Pembroke. P. 491.

Edw. II. not content with the flagrant Acts of various kinds by them committed in our Kingdom of *Scotland*, and on the Borders of our Kingdom of *England*, have now, to the diſhonour, reproach and damage of us and our good Subjects, enter'd this very Kingdom in a hoſtile manner, committing Murders, Depredations, Burnings, Sacrileges, and other Evils without number. By the Capitulation of *Sterling*, that Place was to be either reliev'd or ſurrender'd before the 24th of *June* 1314; *Edward* enter'd *Scotland* with a powerful Army to relieve it: nevertheleſs we find the *Scots* ravaging the *Engliſh* Borders upon the 10th of *Auguſt* following; an evident Proof that they had defeated and drove the *Engliſh* back.

The Pope's Partiality againſt Robert Bruce.

I Pass over a great many Acts of leſs Importance, to come to what is moſt curious upon this Article, and that is, to ſhew the Partiality with which Pope *John* XXII. acted againſt *Robert Bruce*. The Particulars which this Collection contains upon this Subject, are ſuch as perhaps are not eaſily to be met with elſewhere; and therefore I ſhall give a ſhort Hiſtory of it.

King *Edward*, who long'd mightily to put an end to the War with *Scotland* by a Truce, or by a Peace, as the Acts of this Collection abundantly manifeſt, had engag'd Pope *John* XXII. in his Intereſts, who for his ſake undertook to compel *Robert* to make a Peace with *England*. For this purpoſe he ſent over two Legates furniſh'd with ſeveral Bulls, the firſt of which *P.* 594. being dated at *Avignon* in *Jan.* 1317. order'd a Truce of two Years between both Nations, *by virtue of the Authority* conferr'd on the Prince of the Apoſtles and his Succeſſors, as Vicegerents of the King of Peace, to procure a Peace throughout the Catholic Church, and to cauſe it to be punctually obſerv'd. The ſecond Bull dated the 16th of *April*, impower'd the two Car-

Cardinals *Gaucelin* and *Luke*, who had the Titles of St. *Marcellin* and St. *Mary*, to make a Peace between *Edward* King of *England*, and *Robert Bruce*, who aſſum'd the Title of King of *Scotland*. This Commiſſion was as ample as it cou'd well be, for it not only gave them a Power to regulate the Conditions of the Peace as they thought fit, but it alſo authoriz'd them to force the two Parties into it with their Subjects, and Adherents, whether Clergy or Laity of what Quality ſoever, by Suſpenſions, Excommunications, Deprivation of their Privileges, and of the Right of making Wills, or of ſucceeding to Eſtates; even tho *Edward* or *Robert* had obtain'd of the Holy See the Privilege of being exempted from all Excommunication. *A.* 1317. *P.* 613.

THE Pope knew very well that *Edward* wou'd make no ſcruple to ſubmit to an Authority ſo extraordinary, and that he wou'd be glad of a Peace, or a Truce upon any Terms whatſoever; therefore by [a third Bull of the ſame Date with the ſecond, he gave a Power to the Legates to excommunicate *Robert Bruce*. *P.* 614.

IN a few days days after he diſpatch'd three other Bulls, the firſt of which excommunicated all the Enemies of the King of *England*; the ſecond being directed to the Archbiſhops of *Dublin* and *Caſſels*, permitted them to excommunicate *Robert*, and *Edward Bruce*, who had invaded *Ireland*; and the third was againſt the Friars Mendicant of *Ireland*, who by their Intrigues and Preachments favour'd the Invaſion of *Edward Bruce*. *P.* 619. *P.* 620. *P.* 630.

THESE were the Sentiments with which the Pope endeavor'd to procure a Peace between *England* and *Scotland*, not in quality of Mediator, for *Robert* had never own'd him for ſuch, but *by the Fullneſs of his Apoſtolical Power*; as if he

Edw. II. he had been born the Judge and Sovereign Magiſtrate of Chriſtian Princes.

THE other Acts relating to this Affair, ſhew that *Robert* refus'd to ſubmit to the Authority of the Legates, that he deny'd them admiſſion into his Dominions, and that he would not ſo much as return an Anſwer to the Pope's Letters, on pretence that the Pope did not own his Title of King; and that, in ſhort, he laugh'd at the pretended Truce which the Legates had proclaim'd in *England*, by making no ſcruple to beſiege and take *Berwick* that very Year. *Robert*'s Diſobedience provok'd the Pope to order his Legates to make uſe of the Authority they had receiv'd from him to excommunicate the ſaid Prince, of whom he ſpeaks in theſe Words, in his Bull dated *July* 4, 1318. from *Avignon*: *Ipſe vero intelligere nolens ut bene ageret, ſed aures ſuas, more aſpidis ſurdæ, ne audiret vocem Patris ſapienter exhortantis, obturans; quaſi de impenſa à nobis ſuper hiis benignitate, ſuperbiæ concepiſſe videatur audaciam, iniquitatem, de exhibita ſibi per Apoſtolicam ſedem manſuetudine, non abſque ingratitudinis vitio parturivit, contemnens ipſas noſtras recipere Literas, per Nuncios ipſos eidem oblatas.——Ne non fore poſſet ambiguum, quicquid malignitatis in hac parte conceperit, licet Treugæ prædictæ per vos, vel alium, ſeu alios de Mandato noſtro per Angliam ſolemniter publicatæ fuiſſent, ita quod vereſimiliter potuerat ad ejus notitiam hujuſmodi publicatio perveniſſet, ne lateret eum cominùs poſitum quod aliis eminùs conſtitutis non credebatur occultum: Ipſe tamen Treugas iſtas, non abſque multa inſolentiæ temeritate & plectibili noſtro & ſedis prædictæ contemptu, ſpretâque ſententiâ antedictâ obſervare contempſit, villam Berewici nequiter invadens.* i. e. But he refuſing good Inſtruction, like the deaf Adder, ſtopp'd his Ears, that he might not hear the Voice of his Father wiſely exhorting him; and as if our Good-

Pope's Excommunication of Robert Bruce. *P.* 707. *P.* 711.

Will

Will towards him had made him proud and insolent, he wickedly and ungratefully abus'd the Favor offer'd him from the Apoſtolical See, diſdaining to receive our Letters when brought to him by the Nuncios themſelves. And as a plain Indication of his malign Diſpoſition, altho the aforeſaid Truces were by our Command publiſh'd in a ſolemn manner by you and others throughout *England*, ſo that the Publication thereof cou'd hardly fail of coming to his Ears, unleſs it cou'd be imagin'd that he who was nigh at hand was ignorant of what cou'd not be ſuppos'd to be a Secret to thoſe afar off, nevertheleſs the ſaid *Robert* with daring Inſolence, in contempt of us and the See aforeſaid, and alſo of the Sentence aforeſaid, hath ſcorn'd to obſerve the ſaid Truces, and wickedly invaded the Town of *Berwick*, &c. *A.* 1319.

MEAN time the Pope ſeeing that *Robert* deſpis'd all his Thunder-bolts, was not willing to expoſe his Authority to any further Contempt, and therefore recall'd his Legates.

IT appears from ſeveral Paſſages, that during the two Years Truce, which was at length agreed to about the end of the Year 1319, *Robert* ſollicited his Abſolution, of which the Pope gave advice to *Edward*, by a Letter dated in *September* 1320 from *Avignon*, to this Effect. 'That he had appointed a certain time for *Robert* to appear before him in Perſon, or by Proxy; and that not having done either, the Pope had renew'd the Sentence of Excommunication againſt him, and put *Scotland* under an Interdict; but that at the Prayer of the *Scots* Ambaſſadors, he had ſuſpended the Effects thereof.' *P.* 848.

'TIS very probable, as *Buchanan* poſitively aſſerts, that *Robert* had obtain'd the Pope's promiſe,

Edw. II. miſe, that the Excommunication and Interdict ſhou'd both be taken off; for we find by the reſt of theſe Acts, that the Pope, inſtead of acting authoritatively and imperiouſly as before, offer'd to be a Mediator between the two Kings, and that he exhorted the King of *England* to the Peace.

P. 846.
P. 860.

Truce of 13 Years with Scotland.

THE laſt Act we find in this Volume relating to *Scotland*, is the Truce of thirteen Years, which was made the 30th of *May* 1323, at *Thorp* near *York*. In this Treaty the Title of King is not given to *Robert*; but that Prince's Ratification of it, dated the 7th of *June* following at *Berwick* upon *Tweed*, begins with theſe words, *Robert Bruce*, &c. and ends with theſe, *We* Robert *King of* Scotland *aforeſaid*.

P. 1022.
P. 1030.

IT is plain from divers Paſſages, that *Elizabeth*, *Robert Bruce*'s Wife, was detain'd Priſoner in *England*, from the beginning of *Edward*'s Reign, till *July* 1314 at leaſt, as appears from ſeveral Orders made for removing her from one Priſon to another, till at laſt in *July* 1314, *Edward* caus'd her to be brought before him at *York*. This was done in all likelihood to reſtore her to her Husband, for there is no mention of her afterwards. It ſeems that *Edward* allow'd her but twenty Shillings a Week for her Maintenance, as appears by his Warrant directed to the Sheriff of *Somerſet* and *Dorſet*, and dated at *Windſor* in *February* 1313, when ſhe was a Priſoner at *Shaftsbury*.

P. 489.

P. 385.

THE Counteſs *Iſabella*, Wife to *John* Earl of *Boghan*, whom *Edward* I. had confin'd in a Cage for aſſiſting at the Coronation of *Robert Bruce*, was deliver'd out of it by *Edward* II. and committed to the Cuſtody of *Henry de Beaumont*, by virtue of the King's Warrant, dated *April* 28,

28, 1313. at *Weſtminſter*, and directed to the Conſtable of *Berwick Caſtle*. *A.* 1313. *P.* 401.

Article III. *Affairs Eccleſiaſtical.*

KING *Edward* II. had not thoſe notable Diſputes with the Court of *Rome*, which were the occaſion of ſo much Diſturbance in *England*, during the Reigns of King *Henry* II. and King *John*; but there was the ſame Cauſe for a Quarrel with that Court in this Reign, as in theirs. Tho the two Kings I have now mention'd were brought under ſubjection to the Popes, one may venture to ſay that the Kingdom of *England* was not, but always preſerv'd its Prerogatives without ever abandoning them; and the ſeveral Accommodations that were made between the Popes of *Rome* and the Kings of *England*, were never approv'd by the Kingdom, and by Conſequence the *Engliſh* always kept up their Pretenſions: which will not ſeem ſtrange to thoſe who know the Conſtitution of the *Engliſh* Government. It is certain that the Parliament never fail'd to defend the Rights both of the Laity and Clergy, upon all occaſions that offer'd; and if they did not act always with the ſame Vigor, it was becauſe the *Engliſh*, when they loſt their King *John*, had the misfortune to fall into a weak and impotent Reign, under a King who was a Minor at firſt in Age, and always in Underſtanding, and who ran headlong as one may ſay into the Pope's Clutches, inſtead of making any Efforts to ſtop what the *Engliſh* look'd upon as Uſurpations of the Court of *Rome*. The King I mean was *Henry* III. His Succeſſor *Edward* I. having been both an Eye-Witneſs, and an Agent in the Troubles which had diſturb'd the Reign of his Father,

Edw. II. was afraid of renewing them, by giving a handle to the Popes to meddle with the Affairs of his Kingdom, and to ſupport the Malecontents. It may be ſaid therefore that the Controverſies between the *Engliſh* and the Court of *Rome*, were rather huſh'd than determin'd by that ſcandalous Accommodation which King *John* made with Pope *Innocent*; and that neither the Lords nor Commons did in the leaſt imagine that their Rights were forfeited by the ſuperior Force which oblig'd *John* to take that ſtep, or by the Complaiſance of *Henry* III. for the Pope, or by the Moderation of *Edward* I. Nor did they fail upon proper occaſions to make the Court of *Rome* ſenſible that they were not in a humour to ſuffer themſelves to be robb'd of their Privileges, tho in good truth the Oppoſition which they made to the Enterprizes of that Court from time to time ſeem'd to be rather a precaution to avoid Preſcription, than a formal Reſiſtance: which made the Popes always gain ground.

Incroachments of the Court of Rome.

THIS was the ſtate of Affairs when *Edward* II. came to the Crown. The Popes undertook from time to time to confer Benefices, and even Biſhopricks, contrary to the Right of Patrons and Chapters, and very ſeldom troubled themſelves to ask the Conſent of the King, who inſiſted nevertheleſs that his Approbation was neceſſary, before a Biſhop cou'd be put in poſſeſſion of the Temporalities. The Popes cited Clergymen to their Court, in ſpite of the King's Prohibition, and wou'd not ſuffer them to be try'd by the Laity, notwithſtanding all the Proteſtations that both the King and Parliament cou'd make upon that Head. They frequently ſent over Nuncios and Legates veſted with ſuch a prodigious ſhare of Power, as ſwallow'd up all the Authority of the two Archbiſhops. This is not

not a place to examine which of the two had Right on their ſide, whether the Pope or the *Engliſh*; it being ſufficient to obſerve here, that it was a perpetual ſubject of Diſputes and Quarrels between *England* and the Court of *Rome*. But the Court of *Rome* had a great advantage over the other, in that it acted always uniformly and conſiſtently, whereas *England* being govern'd by Rulers whoſe Intereſts were ſometimes different from thoſe of the State, was always a Loſer by the Cowardice, by the Complaiſance, and ſometimes by the private Intereſts of its King. This is a general View of the Subject of the Acts of this Volume, which relate to the Affairs of the Church, out of which I ſhall only ſelect three Articles, upon which this Volume furniſhes ſome Particulars. 1. The Diſpoſal of Benefices. 2. Eccleſiaſtical Juriſdiction. 3. Perſonal Citations to the Court of *Rome*, or before the Pope's Delegates. *A.* 1313.

As to the Diſpoſal of Benefices, this Collection abounds with Complaints made by the Kings of *England* upon this Article, ſetting forth that the Popes very often injur'd the Rights, not only of private Patrons, but of the King himſelf. The Popes on their part were no leſs perſuaded that they had an extraordinary Right to the diſpoſal of Benefices, when the Good of the Church requir'd it, of which they pretended to be the ſole Judges. And as if this had not been a reaſon ſufficient, they did not fail to back their Pretenſion with other Pleas, which ſeem'd rather to hurt their Cauſe than ſtrengthen it.

Popes Preſentations to Benefices, in violation of the Rights of Patronage, &c.

FOR Example, They had made a Decree, that when a Biſhop happen'd to die at their Court, it was their Prerogative to diſpoſe of the vacant See. And it was upon this Foun-

Edw. II. dation that *Clement* V. diſpos'd of the Archbiſhoprick of *Armagh* in *Ireland*. In like manner
P. 13. when a Biſhop reſign'd his Biſhoprick to the Pope, the latter never fail'd to fill the See vacant by ſuch Reſignation, as that very Pope
P. 273. did in the caſe of the Archbiſhoprick of *Dublin*. Sometimes the Pope reſerv'd to himſelf beforehand, the diſpoſal of a Biſhoprick when it ſhou'd come to be vacant. Thus *Clement* diſpos'd of the Archbiſhoprick of *Canterbury* in favour of *Walter Raynold* Biſhop of *Worceſter*, tho the Prior and Chapter had canonically elected *Thomas Cobham*, a Prebendary of *York*, whoſe
P. 439. Election was therefore made void. *Non perſonæ dicti Thomæ vitio*, ſaid the Pope, *ſed utpote poſt Reformationem, & Decretum prædicta attemptatam*, i. e. Not for any perſonal Fault in the ſaid *Thomas*, but becauſe it was undertaken after the Reform and Decree aforeſaid.

As to inferior Benefices, the Popes never wanted a Pretext to confer them, and often produc'd no other reaſon for it, but their own Will and Pleaſure; which rais'd a great Clamour among the Patrons who had the Right of Preſentation. Beſides the Pretences juſt now mention'd, that of the Vacancy of the See on which the vacant Benefices depended, was one of the chief; and ſeraſmuch as the See was look'd upon to be vacant till the Pope had confirm'd the Perſon elected, there was often a great Interval of Time between the Death of a Biſhop, and the Confirmation of his Succeſſor, which gave the Pope an opportunity to confer the Benefices that happen'd to become vacant in ſuch Biſhoprick, on whom he thought fit.

ACTA REGIA:

OR,

An ACCOUNT of the

TREATIES, LETTERS and INSTRUMENTS

Between the Monarchs of *England* and Foreign Powers, publiſh'd in Mr. *Rymer*'s *FOEDERA*, which are the Baſis of the *Engliſh* Hiſtory, and contain thoſe Authorities which rectify the Miſtakes that moſt of our Writers have committed for want of ſuch a Collection of Records.

Tranſlated from the *French* of M. RAPIN, as publiſh'd by M. LE CLERC.

With the Heads of the Kings and Queens, curiouſly engrav'd by Mr. *Vandergucht*.

To be Publiſh'd Monthly.

Number II. for *October*.

Containing Part of the Reigns of *Edward* I. and *Edward* II.

LONDON:

Printed for J. DARBY, A. BETTESWORTH, F. FAYRAM, J. PEMBERTON, C. RIVINGTON, J. HOOKE, F. CLAY, J. BATLEY, and E. SYMON. M.DCC.XXV. *Price* 1 s.

N° II. for *October*,

CONTAINS the Sequel of the famous Diſpute for the Crown of *Scotland*, with *Baliol*'s Reſignation of it to King *Edward* I. and a fair Diſcuſſion of the *Engliſh* Claim of Sovereignty over that Nation. *Macduff*'s Impriſonment. *Bruce*'s Murder of *Comyn*, and his Overthrow. King *Edward*'s Quarrel with *Philip* of *France*. The Baniſhment of the *Jews*. The Hiſtory of thoſe unconſcionable Minions, *Gaveſton* and the *Spenſers*; and the Inſurrection of the Barons in the Reign of *Edward* II. War and Truces with the *Scots*. The Pope's Excommunication of *Robert Bruce*, and the horrid Incroachments of the Court of *Rome* in *England*. The notable Diſpute between the Archbiſhops about carrying the Croſs; and the Hiſtory of the Knights Templars. With a farther Commendation of this Work, by Mr. *Rapin*.

N° III. for *November* is in the Preſs.

BUT what moſt of all provok'd the *Engliſh* was, to ſee that very often the Pope gratify'd Foreigners * with thoſe Benefices, ſometimes Cardinals, or others who ſuck'd the Revenues thereof *A.* 1313. *Benefices given by the Popes to Aliens.*

* BY an Inquiſition taken of this matter in 1253, it appear'd that the Eccleſiaſtical Revenues in *England* enjoy'd by Aliens, of whom many were Boys, and more Dunces, amounted to no leſs than 70000 Marks a Year, which was then reckon'd a greater Revenue than that of the King; which occaſion'd the ſharp Letter of *Robert Groſthead* to the Pope, and the Pope's diſdainful Reception of it, related at large by *Matt. Paris.*

AT a Parliament held *Anno* 1379, (*Rot. Parl. Ang.* 3 Rich. II.) great Complaint was made of Foreigners holding Eccleſiaſtical Benefices; many Cardinals at *Rome* having the beſt Promotions, and Livings conferred on them, or granted to hold in *Commendam*, of which there are Catalogues yet extant. (Acts and Monum. *Tom.* 1. *f.* 389.) And from hence many Miſchiefs aroſe; as little or no Divine Service, or Inſtruction of the People: No Hoſpitality kept for relief of the Poor: Decay of Houſes, and Increaſe of Barbariſm; ſo that between the *Italian* Hoſpitality, which none cou'd ever ſee, and a little Latin Service, which few, or none could underſtand, the poor *Engliſh* were ill fed, but worſe taught: And laſtly, the exhauſting the Wealth of the Land, to the impoveriſhing of the People, and weakning of the King and Kingdom, in caſe of Invaſion or any Attempts againſt them.

'TIS memorable alſo, that in the Reigns of *Henry* VII. and VIII. the Biſhoprick of *Worceſter* had four *Italians* ſucceſſively that never liv'd there, whoſe Names we find in *Godwin de Præſulibus Angliæ.* And ſuch prevalence had the Popes and Cardinals in this matter, that once K. *Edward* I. having promis'd the Cardinal Biſhop of *Sabine*, at his Inſtance, to preſent one *Nivianus* an *Italian*, his Chamberlain, to a Benefice in *Lincolnſhire*, then in his Gift by the Death of another *Italian*, the Pope's Chaplain, and forgetting his Promiſe, preſented his own Clerk to it; but being reminded of his Promiſe, he revok'd his firſt Preſentation in favour of *Nivianus*, as appears by his Patent for that Purpoſe, ſtill preſerv'd among our Records (Pat. 25. E. I. m. 16. *De Præſentatione pro M. Antonio de Niviano.*) Matt. Paris *An.* 1240. *f.* 540, ſays, that

Edw. II. thereof without exerciſing the Functions, and who moreover perpetually plagu'd thoſe who had a Dependance upon them, by the Credit which they had with the Pope, and by Citations and Appeals to his Court. For Example, the Deanery of St. *Paul*'s in *London*, was conferr'd by the Pope upon the Cardinal *de St. Marcel*, Archbiſhop of *Bourdeaux*, tho it is a Benefice which abſolutely requir'd Reſidence, as appears by ſeveral Reaſons mention'd in a Letter here from King *Edward* to the ſaid Cardinal, dated at *Weſtminſter May* 12, 1309. perſuading him to relinquiſh it.

P. 134.

It had been no great matter if the Pope had only diſpos'd of *ſome* Benefices from time to time contrary to the Right of Patrons; but this was not enough, he ſometimes challeng'd the Diſpoſal of *all*; of which we have two Examples in this Volume. The firſt is of *Clement* V. who

while *Rubeus* and *Ruffinus*, two of the Pope's Factors, were very buſy in *England*, collecting Money for the Pope; one *Mumelinus* comes from *Rome* with 24 *Italians*, and Orders to admit them to ſo many of the beſt Benefices as ſhou'd next become void; and that in the ſame Year, the Pope made an agreement with the People of *Rome*, that if they wou'd effectually aid him againſt the Emperor *Frederic*, their Children ſhou'd be put into all the vacant Benefices in *England*: And thereupon Orders were ſent to the Archbiſhop of *Canterbury*, and the Biſhops of *Lincoln* and *Salisbury*, to make Proviſion for three hundred Romans Children, to be ſerv'd of the next Benefices that ſhou'd fall; which, ſays the Hiſtorian, ſo aſtoniſh'd all that heard it, that it was fear'd they wou'd have been drown'd in the Abyſs of Deſpair. And this made ſuch an Impreſſion on the Archbiſhop, being a tender Man, to ſee the Church in that manner wounded, and ſo much Evil in his Days, that he diſpos'd of his Affairs, and retir'd into *France*, where bewailing the deplorable ſtate of his Country, he dy'd not long after of Grief at *Pontiniac*. See *Godwin*, in this Archbiſhop's Life.

gave

gave all the vacant Benefices in the Province of *York* to Cardinal *Ademar*, who had the Title of St. *Anaſtaſius*, on pretence of enabling him to ſupport his Dignity; and not long after, he likewiſe gave him all thoſe that became vacant in the Province of *Canterbury*: and becauſe the King had conferr'd two Prebends out of the number of thoſe Benefices ſo given by the Pope, and becauſe the Cardinal had been ſummon'd to Parliament, Pope *Clement* * wrote a very ſharp Letter to the King in *November* 1311, from *Avignon*, wherein he calls the two Incumbents *Sons of Perdition*; and complains that it was a palpable Affront to God to hinder the ſaid Cardinal from enjoying their Revenues. * *A.* 1311. *P.* 284.

POPE *John* XXII. † went farther ſtill; it was not enough for him to diſpoſe of Benefices when vacant, but he aim'd at the diſpoſal of thoſe that were not vacant, by revoking all the Diſpenſations granted by his Predeceſſors, for holding a Plurality of Benefices, and reſerving to the Holy See the Diſpoſal of ſuch as ſhou'd become vacant by ſuch Revocation. Upon this, King *Edward* in a Letter dated from *Windſor January* 10, 1318, and ſign'd by the King and Council, wrote ſo ſharply to the Pope, that 'tis very probable the Pope let the Affair drop; at

* THIS Pope was ſwallow'd up in ſenſual Pleaſures, and ſo inſolent, that he made *Francis Dandalo* a Noble *Venetian*, who had offended him by his Fidelity to the Republic, lie under his Table like a Dog. This was the Pope that condemn'd the Knights Templars, and remov'd the See to *Avignon*, where it continu'd ſeventy Years, and was for that reaſon call'd by the *Italians* the Babyloniſh Captivity.

† HE was Son to a Shoemaker, but a Man of great Wit and Learning; and when he dy'd, which was in the 19th Year of his Reign, he left a greater Treaſure behind him than any of his Predeceſſors. See *Platina*, *Atlas Hiſtor.* and *Geog.*

Edw. II. leaſt we hear no more of it in this Collection.

It wou'd be too tedious to ſet down all the Examples which this Third Volume is capable of furniſhing upon the preſent Head; yet I muſt not forget to obſerve that the Pope never conferr'd a Biſhoprick under any of thoſe Pretexts I have mention'd, but the King oppos'd him vigorouſly to outward appearance, tho I don't know one ſingle Inſtance of his carrying his Point: ſo that after having made a great Outcry, and wrote Letters upon Letters to the Pope, or to the Biſhop nominated, he was forc'd at laſt to truckle to the Pope's Authority. The whole Collection ſwarms with Complaints of this Nature. It was *Edward* II. if I am not miſtaken, who, when he cou'd no longer refuſe admiſſion to a Biſhop preſented by the Pope, was the firſt that hit upon the expedient of obliging the Pope's Nominee to ſign an Act before a Notary Public, by which he renounc'd the Clauſe in the Bull that aſſign'd the Biſhoprick to him, and own'd that he held the ſame merely of the King's Favour. Of this we have many Inſtances in the preſent Volume, in the Caſe of the Archbiſhops of *Canterbury*, *Dublin*, *Armagh*, and the Biſhop of *Wincheſter*. But the Pope, who wou'd not ſeem to know any thing of theſe Renunciations, ſtill continu'd to put the Clauſe in his Bulls.

P. 465, 273, 13, and 827.

Eccleſiaſtical Juriſdiction.

The ſecond Article which relates to *Eccleſiaſtical Juriſdiction*, may be conſider'd with reſpect to the inferior Clergy, or with regard to Biſhops. As to the inferior Clergy, it does not appear that *Rome* acted with ſo much Vigor to maintain the Juriſdiction of the Eccleſiaſtical Court, as the Magiſtrates of *England* did to ſupport the Rights of the Kingdom. The reaſon

ſon of it was, becauſe that on thoſe occaſions the Pope had to do with the Officers of Juſtice, who cou'd not excuſe themſelves from executing the Laws of the Realm made in Parliament, without running a Riſque of being puniſh'd for their Negligence; whereas in the caſe of Biſhops, the Pope had only to deal with the King, who was not under thoſe Reſtraints of Fear. And we find that the Court of *Rome* was never backward to hinder Biſhops from pleading in the Temporal Courts. Of this we have ſome remarkable Inſtances in the preſent Reign, in the caſe of the *Scots* Biſhops of *Glaſgow* and *St. Andrews*, who being taken in Arms by *Edward* I. were detain'd in Priſon till *Edward* II. after having ſtood out againſt the Pope's Remonſtrances a long time, was oblig'd to ſet them at Liberty. The ſame thing happen'd in the Affair of the Biſhop of *Litchfield*, High Treaſurer in the Reign of *Edward* I. whom *Edward* II. had impriſon'd for Miſdemeanor; which tho it was a Crime within the Cogniſance of the Temporal Court, yet *Clement* V. pretended that the ſaid Biſhop cou'd not be detain'd in the King's Priſons by reaſon of his Character, and at laſt oblig'd *Edward* to releaſe him.

A 1292.

p. 73, 98, 118, 121, *&c.* and 710.

As to the third Article, *viz.* * Perſonal Citations to the Court of *Rome*, or before Judges delegated by the Pope, the *Engliſh* Magiſtrates ſpar'd no Pains to ſtop the abuſe thereof; but do what they cou'd, they were not able to influence the Clergy, who from the Motives of Religion, or other Views, choſe to

Citations to the See of Rome.

* THIS and the foregoing Article are amply diſcuſs'd by that Great Oracle of Law and Divinity, Father *Paul* the *Venetian*, in one of his excellent Treatiſes, intitul'd, *The Rights of Sovereigns.*

Edw. II. obey the Command of the Pope, rather than the Laws of the Realm. This prov'd to be a Bone of perpetual Contention betwixt the two Courts; and in this Collection we find a great many Letters from the King to the Pope upon this ſubject, with Orders to the Archbiſhops not to admit of ſuch Citations. *Nos volentes*, ſays *Edward* in a Letter from *Ely*, dated *Nov.* 3. 1314. to the Archbiſhops, *&c. hujuſmodi diſpendio & præjudicio, remedio quo poterimus obviare, & omnes jura coronæ noſtræ impugnantium conatus illicitos refrænare, vobis omnibus & ſingulis mandamus, firmiter injungendo, ne prætextu alicujus Commiſſionis, aut Mandati vobis, aut alicui veſtrum, per quemcumque facti, vel fiendi, quicquam in hac parte, per citationes, vel inductiones, aut alio quovis modo, nobis inconſultis, facere præſumatis*: i. e. We being inclin'd to obviate all Loſs and Damage of that Nature, by whatſoever Remedy is in our Power, and to check all the illegal Attempts of thoſe who impugn the Rights of our Crown, do command and firmly injoin all and every one of you, that under colour of any Commiſſion or Mandate, given or to be given, to you or any of you by any one whatſoever, ye do not preſume to do any thing in this caſe by Citations or Perſuaſion, or by any other means whatſoever, without adviſing with us. We find alſo that the Parliament which was held at *Stamford* in *Auguſt* 1309, order'd a vigorous Letter to be written to the Pope to complain of theſe Grievances.

King's Letter to the Archbiſhops, &c. againſt them. P. 100.

Parliament's Letter to the Pope. P. 159.

'Twas plain that the Court of *Rome* gave little or no regard to all the King was able to ſay or write. This Prince, who thought he ſtood in need of the Pope, did not reckon it good Policy to puſh things too far; of which that Court was very ſenſible, and made an advantage.

vantage. But whenever the Parliament interfer'd, they were more upon the reſerve, and paid greater reſpect to that Body than to the King. Therefore *Edward* who perceiv'd the Difference, often rely'd much upon the Credit of the Parliament, that his Inſtances might have the greater Weight and Effect; of which we have divers Inſtances in this Collection of Records. *Edward* writing to a certain Cardinal from *York*, *October* 1. 1316. tells him, *Quod ſi nos nollemus facere, illas defenderet Communitas Regni noſtri, ut jus noſtrum hæreditarium ac noſtræ Regiæ dignitatis:* i. e. Which if we refus'd to do, the Commons of our Realm wou'd defend them, as our Hereditary Right and Royal Dignity. And upon another occaſion, the King writing to the Pope himſelf from *Newcaſtle* upon *Tine*, *Auguſt* 3, 1322. ſays, *Advertentes, ſi placet, quod, etſi dicti Clerici noſtri a Jure, ſibi in hac parte quæſito, ſeu Proſecutione ejuſdem deſiſtere vellent, nihilominus jus noſtrum prædictum, in perſonis aliorum (vinculo juramenti prædicti Nos artante, & Magnatum Regni noſtri Conſilio perurgente, qui, etiam nobis diſſimulantibus, toto Niſu contradicerent) proſequi cogeremur.* i. e. Conſidering, with ſubmiſſion, that altho our ſaid Clergy were inclin'd to depart from their Right in this Cauſe, or to deſiſt from the Proſecution of it, yet ſhou'd we be compell'd to proſecute our Right aforeſaid in the Perſons of others, not only inaſmuch as we are bound by our Oath aforeſaid, but as we are ſtrenuouſly urg'd to it by the advice of our Nobles, who, were we even to diſſemble, wou'd do their utmoſt to oppoſe it.

A. 1316.

P. 573.

P. 965.

As the *Engliſh* on the one hand complain'd of the Court of *Rome*, the latter on the other hand complain'd no leſs of the *Engliſh* Magiſtrates. We have a Letter from the Pope in *Novem-*

P. 187.

Edw. II. *November*, 1309. to the Biſhop of *Worceſter*, which enumerates all the Complaints of the Holy See againſt the King's Officers, or rather againſt the Laws of *England*, which ran counter to their Pretenſions: but foraſmuch as the Articles they relate to, are for the moſt part thoſe which I have already glanc'd over, it is not material to inſiſt upon them here; and therefore I diſmiſs them with this one Obſervation, that what the Pope was pleas'd to call the *Privileges and Immunities of the Church*, *the* Engliſh call'd the *Enterprizes and Uſurpations of the Court of* Rome.

A More effectual Stand might have been made againſt the Pope perhaps in this Reign, if the King had but ſeconded his Parliament; but private Intereſts ſometimes oblig'd this Prince not only to ſubmit to the Pope's Pretenſions, but alſo to corroborate them, by prompting him to exert his abſolute Power. This he did in one particular Caſe, among many others, during the vacancy of the See of *Hereford*. The King had a mighty mind to place *Thomas Charlton* in that See; but being afraid that the Chapter wou'd not elect him, he, by a Letter dated *p.* 617. at *London*, *March* 28, 1317. deſir'd the Pope to reſerve to himſelf the Diſpoſal of that Biſhoprick by the *Fullneſs of his Apoſtolical Power*; and having obtain'd his Requeſt without much Difficulty, he recommended *Charlton* to him. But hearing ſoon after, that the Pope had a Deſign to gratify *Adam Orleton* with the ſaid Biſhoprick, he deſir'd him by a Letter from *Windſor* of *March* 30. following, not to place his Thoughts upon a Perſon ſo diſagreeable to him; and aſſur'd *Or-* *p.* 622. *leton* in a Letter from *Windſor* of *May* 30, that he 637. wou'd never ſuffer him to be plac'd in that See.

The

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THOSE who are ever ſo little acquainted with the Hiſtory of this Century, know that the Period of Time, during which the Popes kept their See at *Avignon*, was not the moſt honourable for the Holy See. There is a Proof of the irregular Steps which the Court of *Rome* took at that time in a Letter from *Edward* II. dated at *Weſtminſter*, *November* 22, 1317, and directed to the Cardinal St. *Cyriacus*; which ſets forth, that when *Clement* V. conferr'd the Abbey of *Weſtminſter* upon an Abbot nam'd *Richard*, he exacted a Promiſe from him of ſix thouſand Florins for himſelf, and another of two thouſand for the Cardinals. *A.* 1317. *P.* 679.

THE Difference between the Archbiſhops of *Canterbury* and *York*, about carrying the Croſs, ſtill ſubſiſted. The former pretended to the Right of having the Croſs carry'd before him in the Province of *York*, but refus'd the ſame Privilege to the Archbiſhop of *York*, who had the ſame Pretenſion in the Province of *Canterbury*. This Quarrel was carry'd to ſuch a height, that when both thoſe Prelates happen'd to be in one and the ſame Province, which was always the caſe as often as the Parliament met, they were each attended by Guards. The King deſires the Pope to make a Regulation for healing this Difference, by a Letter dated from *Nottingham*, *Auguſt* 6, 1317. *Diſpute between the Archbiſhops of* Canterbury *and* York *about carrying the Croſs.* *King's Letter about it to the Pope.* *P.* 659.

THERE was the very ſame Diſpute betwixt the Archbiſhops of *Ireland*, as appears by a Letter to the King from the Archbiſhop of *Armagh* in the Year 1308, wherein he pray'd his Majeſty to excuſe his Attendance at the Synods which met in the Province of *Dublin*, and to give him leave to ſend his Proxy thither. *The ſame Diſpute in* Ireland.

Article

Article IV. *Of the Knights Templars.*

History of the Knights Templars.

THE Order of Templars was inſtituted in 1118, for Defence of the holy Places of *Jeruſalem*. Their firſt Houſe being ſituate near the *Temple* of our Lord, gave occaſion to their Name; and all the Houſes which they liv'd in afterwards were call'd *Temples*. This Order was confirm'd in the Council of *Troyes* in 1127, according to Rules given by St. *Bernard*. The Fryars, or Brethren of this Order, were divided into two Claſſes, one of Knights, and the other of Servitors.

AFTER *Saladine* had conquer'd the Kingdom of *Jeruſalem* from the Chriſtians, this Order diſpers'd it ſelf into moſt parts of *Europe*, where it became very potent, and acquir'd vaſt Riches *, thro the Liberality of the People, and the Bounty of Sovereign Princes, who had a high Eſteem for the Virtues which were practis'd by theſe Fryars: but Riches made them as proud as they were before humble, and alter'd that exemplary Life of Piety which they led at firſt, to one that was execrably vicious; which render'd them odious.

THE Author of their Ruin was *Philip* the Fair, King of *France*, to be reveng'd for a Tumult which ſome of them had rais'd in *Paris*. He had a Conference for this end with Pope *Clement* V. at *Poictiers*, where the entire Deſtruction of the whole Order was reſolv'd on.

* *Matthew Paris* ſays they had 9000 rich Convents, tho at firſt they liv'd upon Alms. Others ſay they had their ſubordinate Governors in all the Provinces of *Europe*, and no leſs than 16000 Lordſhips; the Greatneſs of which Revenue was not the leaſt Cauſe of diſſolving the Order.

Some profligate Fellows, who were themſelves Members of that Body, whether they did it of their own accord, or whether they were brib'd to it by the *French* King, charg'd the whole Order with the groſſeſt Crimes: whereupon *Philip* caus'd all of them who were in his Dominions to be apprehended, and fifty ſeven of them to be burnt; but thinking this Revenge not ſevere enough, he proceeded to aboliſh the Order; and the Pope, who had engag'd himſelf to favour the Deſign, call'd a general Council at *Vienna*, in which the ſaid Order was laid under an Interdict. *A.* 1307.

FORASMUCH as *England* was not a little affected by the Proceedings againſt the Knights Templars, becauſe of the great Eſtates they poſſeſs'd in that Kingdom, we find a great number of Acts upon the Subject in this Collection, the chief of which we will juſt run over.

THE firſt Piece is an Anſwer from *Edward*, dated at *Weſtminſter*, *October* 30, 1307, to *Philip* the Fair, wherein he tells him that he can ſcarce give credit to that part of his Letter relating to the *abominable Hereſy* ſpread in *Guienne*; but that he has order'd the Seneſchal of *Agen* to inform himſelf of that Affair more particularly. Altho the Templars are not ſo much as mention'd in this Letter, yet 'tis probable they were the Perſons intended. *P.* 18.

AFTER this, we have a Brief from Pope *Clement* to King *Edward*, dated *November* 30 following, at *Poictiers*; in which he ſet forth, That upon Information given to the King of *France*, that the Templars, at their Entrance into that Order, deny'd Jeſus Chriſt, ſpit at a Crucifix, worſhipp'd an Idol in their Chapters, and committed other enormous Crimes, as the Grand Maſter himſelf had confeſs'd; the ſaid *Pope's Letter to* Edward *about the Knights Templars.* *P.* 30.

Edw. II. Prince had in one Day caus'd all thoſe in his Dominions to be apprehended, and all their Eſtates to be confiſcated, in order to apply the ſame to the Service of the Holy War, if thoſe Crimes were prov'd. He adds, that upon theſe Informations, of which *Philip* had given him an Account, he had himſelf examin'd one of the Knights *magnæ generoſitatis & auctoritatis Virum*, a Man of great Generoſity and Authority; who confeſs'd that he himſelf had deny'd Chriſt as aforeſaid, and that he had ſeen it done by another in the Iſle of *Cyprus*, at the command of the Grand Maſter, in preſence of above two hundred Brothers of the Order, of whom a hundred were Knights: And the Pope concludes with exhorting King *Edward* to follow the Example of the King of *France*.

King's Letters on the ſame Subject.

THERE's a Letter from King *Edward* at *Reading*, *December* 4, 1307, to the Kings of *Caſtille*, *Arragon*, *Portugal* and *Sicily*, importing that a certain Clergyman came to him, who accus'd the Knights Templars of the moſt horrid Crimes, but that he could not give Credit to it; and therefore he exhorts them to ſuſpend their Judgment, if ſuch an Accuſation came before them. And he ſent another Letter to the Pope on the ſame Subject, dated at *Weſtminſter* the 10th of the ſame Month, to vindicate the Templars, who, ſays he, bear a good Reputation in *England*. And there's an Order plac'd in the *Fœdera* before thoſe two Letters, enjoining all the Sheriffs to arreſt all the Templars in the Kingdom upon the Feaſt of *Epiphany*, in 1308; which Order, tho there's no Date to it, is ſignify'd in two Letters from the King, dated at *Byfleet*, *December* 20, 1307, and directed, the one to his Chief Juſtice and Treaſurer in *Ireland*,

P. 35.

P. 37.

P. 34.

P. 45.

Ireland, the other to the Lords of the Mannors and Bailywicks in *Wales*. *A.* 1308.

IN purſuance of this Order, all the Templars in *England* were apprehended upon that Day, and their Poſſeſſions ſeiz'd into the King's Hands. *Their Perſons and Eſtates ſeiz'd.*

AFTER this came a Bull from the Pope, dated at *Poictiers* in *Auguſt* 1308, and directed to the Archbiſhop of *Canterbury* and his Suffragans, to let them know what had been done with reſpect to the Templars: He there repeats almoſt the very ſame Facts which he had mention'd to the King, with this Addition only, that he had caus'd ſeventy two Knights and other Brethren of the Order, to be examin'd by the Cardinals; who, after very ſtrict Interrogatories, had reported to him, that the Perſons accus'd had own'd the Crimes with which they were charg'd, *viz.* The denying of Jeſus Chriſt, and the ſpitting at the Crucifix; and that ſome of them had confeſs'd Crimes which he was aſham'd to mention. Then he tells them, that he has appointed a Committee of three Cardinals, four *Engliſh* Biſhops, and certain Clergymen of *France*, to draw up the Informations, and to manage the whole Proceſs that was to be carry'd on in *England* againſt the Templars. *Pope's Bull about 'em.* *P.* 101.

WHEN theſe Commiſſioners were arriv'd, the King expreſly order'd the *Engliſh* Biſhops of the Committee to attend every day at all the Proceedings, as appears by an Order he ſent to the Biſhop of *Lincoln*, dated at *Weſtminſter September* 13, 1309, for fear no doubt of ſome Knavery on the part of the *Italians* and *French*. *P.* 168.

'TIS remarkable, that in all the Orders which this King granted to facilitate thoſe Informations, we always meet with this Clauſe, *ob re-*

Edw. II. *verentiam ſedis Apoſtolicæ*, out of reſpect to the Apoſtolic See. Perhaps, as this Proceſs was manag'd in the name of the Pope, the King was afraid leſt it might be brought into a Precedent.

When this Examination was finiſh'd, a National Council was aſſembled at *London*, wherein the Knights Templars were condemn'd; but they were not treated with the ſame Severity as in *France*, for they were only confin'd to Monaſteries inſtead of the common Priſons, and had ſmall Penſions paid them for their Subſiſtance.

And the Council at Vienna.

The General Council at *Vienna*, which was ſummon'd partly for the Condemnation of the Templars, met in the Year 1311; but their Sentence was not publiſh'd till the ſecond Seſſion, which was held in *May* 1312. It is the common Opinion, that it was the Council which condemn'd them; but I think it ſafer to follow the Opinion of thoſe Hiſtorians, who ſeem to know more of the matter, and have aſſerted that the Council did not think it juſt to aboliſh a whole Order for the Crimes of ſome of its Members, eſpecially conſidering the Templars had been neither convicted, nor ſo much as ſummon'd before the Council. Theſe ſame Hiſtorians add, that the Fathers of the Council being intimidated, by the Preſence of the Pope, who preſided in Perſon, and of the King of *France*, who came to the ſecond Seſſion, did not dare to oppoſe the Bull of Condemnation, when read in their Preſence. 'Tis true, that in a following Bull from the Pope in this Collection, dated from *Vienna* in *May* 1312, *Clement* affirms that the Council approv'd of what had been done in that Affair; but it appears likewiſe in the very ſame Bull,

P. 323.

that becauſe the Proceedings againſt the Templars had not been altogether according to the Forms of the Law, he cou'd not intirely aboliſh that Order, and that all he cou'd do was to interdict it for ever. Theſe are his Words, *Ejuſdemque Ordinis ſtatum, habitum atque nomen—— Sacro approbante Concilio,* NON PER MODUM DIFFINITIVÆ SENTENTIÆ, *cum eam ſuper hoc ſecundum inquiſitiones, & proceſſus, ſuper hiis habitos,* NON POSSEMUS FERRE DE JURE; SED PER VIAM PROVISIONIS, SEU ORDINATIONIS APOSTOLICÆ, *irrefragabili, & perpetuâ valiturâ ſuſtulimus ſanctione; ipſum prohibitioni perpetuæ ſupponentes. Univerſa etiam bona Ordinis prælibati, Apoſtolicæ ſedis ordinationi & diſpoſitione, auctoritate Apoſtolicâ duximus reſervanda.* i. e. We have by a Sanction irrefragable, which will for ever have Force, taken away the State, Habit, and Name of the ſaid Order, with the Approbation of the Sacred Council, *not by means of a definitive Sentence,* ſince according to the Examinations taken, and Proceſs made againſt them, *we cou'd not paſs ſuch Sentence in Law, but by way of Apoſtolical Precaution or Ordination*; ſubjecting the ſame under a perpetual Interdict. Alſo we have thought it fitting that all the Eſtates of the ſaid Order be reſerv'd by Apoſtolical Authority, to the ordering and diſpoſal of the Apoſtolical See. *A.* 1312.

IT appears from hence, that tho the Pope rely'd upon the Authority of the Council, yet he acted in his own Name, by virtue of his Apoſtolical Authority. And we may venture to ſay, that the Approbation of the Council mention'd by the Pope, ſeems very conſiſtent with the Explication we have of it from the Hiſtorians; for it is not at all likely that Perſons choſe for Judges, in an Affair of ſuch Conſequence, ſhou'd approve of a Sentence which they themſelves did not dare to pronounce. Beſides, it's very

Edw. II. very probable, that ſince the Pope had aſſembled that Council, principally for the Condemnation of the Templars, he wou'd gladly have left that Work to the Council, if he had found that Diſpoſition in it which he wiſh'd for.

In the ſame Bull that I have juſt now quoted, the Pope declar'd that after having reſerv'd the Diſpoſal of the Templars Eſtates to the Holy See, he had for a long time conſulted with the Cardinals, Patriarchs, Archbiſhops, Biſhops, Prelates, and others who were at *the Council* aforeſaid; and that at length he had thought fit to aſſign thoſe Eſtates to the Order of St. *John* of *Jeruſalem*, by the Fulneſs of his Apoſtolical Power. Nevertheleſs he excepted the Eſtates which were ſituate in *Caſtile*, *Arragon*, *Portugal*, and the Iſle of *Majorca*, ſtill reſerving the future diſpoſal thereof to himſelf. Obſerve by the way, that he does not ſay it was a Reſolution of the Council it ſelf, but only that he had taken the Advice of thoſe who were preſent at it. He added the Pains of Excommunication againſt all who detain'd the ſaid Eſtates, and refus'd to deliver them to the Order of St. *John*, within a Month after the firſt Call.

P. 326. This Bull was follow'd in the next Month by a Letter to King *Edward*, exhorting him to ſubmit to the ſaid Diſpoſition, and enjoining all the Earls and Barons of the Kingdom to deliver up the Templars Eſtates, which were in their Poſſeſſion, to the Knights of St. *John*.

When *Edward* had contributed ſo readily to the Ruin of the Templars, he hop'd to come in for his ſhare of their Spoil, and had already began to diſpoſe of it; ſo that he was not a little ſurpriz'd, when he heard that he ſhou'd be compell'd to quit his Hold. The Pope's Letter

arriv'd at a time when that Prince was more than ordinarily embarrass'd by domestic Quarrels; that is to say, very soon after the Death of *Gaveston*: yet he maintain'd himself in the possession of those Estates till the end of the Year 1313. But at last, the Prior of the Order of St. *John* in *England*, being furnish'd with a Letter of Attorney from the Grand Master, having presented a Petition to him upon this Subject, he did not dare to stand it out any longer, and granted him the Replevy of the Templars Estates that were in his Power. Mean time being persuaded that great Injustice was done him, he made a Protestation before a Notary, in *December* 1313, in which he declared that the only reason of his dispossessing himself of those Estates, was the Fear of the Danger to which he shou'd expose himself if he refus'd it; considering the short space of Time which the Bull gave him, according to a Clause the Prior had taken care to insert in his Petition. But he protested, that this shou'd not be any prejudice either to his own Rights, or those of his Subjects, which he reserv'd to himself to make the best of in due time. *A.* 1313.

THE *English*, who had receiv'd some part of those Estates from the King's Bounty, or who perhaps had purchas'd them, were very loth to obey; and we find some of them so long possess'd of those Estates, as till the Year 1322, which was the occasion of a very severe Complaint made to King *Edward* that Year by Pope *John* XXII. in a Bull dated at *Avignon*, in the Month of *June*. *P.* 956.

THOSE People thought themselves upon sure Ground, because the Parliament had not given their Consent to the King's Grant of the said Estates, which according to the Laws of the

Edw. II. Realm, ought to have been confiſcated to the Crown, and not to the Pope, or in favour of the Order of St. *John*. It ſeems alſo that the Knights of this Order were afraid, that ſooner or later the Parliament wou'd bring this Queſtion upon the Stage; and therefore they preſs'd the Pope not to let the King reſt till he had obtain'd his Parliament's Conſent to what had been done. And we find in the next Volume, that in the Year 1324, *Edward* wrote a Letter to the Pope dated at *Weſtminſter* the firſt of *April*, ſignifying that the Affair had been mov'd in Parliament, and that he hop'd that the Order of St. *John* wou'd remain in poſſeſſion of the Templars Eſtates *.

P. 46. in Vol. 4.

THUS you have what is moſt remarkable in this third Volume of the *Fœdera*, relating to the four general Articles, under which I endeavour'd to range the principal Affairs. There is a vaſt number of other Pieces upon Subjects that have no relation to theſe four Articles, to give an account of which wou'd exceed our Bounds;

* THE Curious who wou'd know more of the original Rule and Nature of both theſe Orders, may conſult *Dugdale* of *Warwickſhire*, *Henry de Knighton*'s Collection, *Thomas Walſingham*'s Hiſtory, and *Stow*'s Survey. As for the *Hoſpitallers*, or Knights of St. *John* of *Jeruſalem*, we ſhall find hereafter that King *Henry* VIII. diſſolv'd them, and ſeiz'd their Lands; that Queen *Mary* replac'd them in their ſhatter'd Manſion at *Clerkenwell*; and that Sir *Thomas Treſham*, who was made Prior of the Order, was call'd up by Writ to the Houſe of Lords as a Baron; but that they were finally diſſolv'd by Q. *Elizabeth*. 'Tis ſaid that the Temple at *London* was antiently the chief Houſe of the Knights of this Order in *England*, and by them demiſed to ſome Students of the Law who came from *Thavies* Inn, for the yearly Rent of 10 *l.* about the middle of the Reign of *Edward* III. and that the Lawyers held as Tenants to the ſaid Hoſpitallers till their Diſſolution by *Henry* VIII.

and

and therefore I ſhall only mention two or three of them. *A.* 1320.

German Notaries put down.

'TIS remarkable that *German* Notaries were made uſe of in *England*, till the time of *Edward* II. which ſeems very odd; becauſe after the Reign of *Honorius*, none of the Emperors ever had any Juriſdiction in this Kingdom. But this King made an Order in Council at *Weſtminſter*, *April* 26, 1320. for ſuppreſſing all thoſe *German* Notaries, and forbidding any Regard to be had to the Deeds or Inſtruments which they ſhou'd paſs for the future. *P.* 829.

Marry'd Clergy turn Wine-Merchants.

WE find alſo that in 1317, there were marry'd Clergy in *Guyenne*; which is prov'd by an Order of *Edward* II. dated at *York*, *Sept.* 16, to the Conſtable of *Bourdeaux*, to make them pay the Cuſtoms for Wine, notwithſtanding their Privileges, which they had abus'd by ſelling of other People's Wine in their own Names, to cheat the King of his Duty. *P.* 666.

IT may perhaps be thought ſtrange that the Count of *Savoy* was once a Vaſſal to the King of *England*, and that he ſhou'd pay him Homage for ſome Lands in *Chablais*, as we find in an Act dated by this King at *Woodſtook*, *June* 24, 1318. But it muſt be obſerv'd, that it was a very common Cuſtom in that and the preceding Centuries, for petty Princes to receive certain Penſions from the great ones, for which they bound themſelves to pay Homage; and that very often, in order that they might have a Foundation for thoſe Penſions, they mortgag'd ſome part of their Dominions, and paid Homage for them as long as the Penſions were continu'd. Which appears from ſeveral places in the three firſt Volumes of the *Fœdera*, and alſo in the fourth. *P.* 715.

IT appears that *Edward* I. was not very punctual in paying the Pope the annual Tribute of

1000

Edw. II. 1000 Marks, which was eſtabliſh'd by King *John*, becauſe *Clement* V. demanded of his Son fifteen Years Arrears, by a Brief dated in *Nov.* 1309. We have the Pope's Acquittance for the ſaid Tribute for the Year 1317, dated at *Avignon*; and another for the Year 1318: but the reſt remain'd in Arrears, for we find in the next Volume that the Pope demanded thirty Years Arrears of *Edward* III.

P. 187, 632.

We come now to the IVth Volume of the *Fœdera*, which begins with the four laſt Years of the Reign of *Edward* II.

Hiſtory of the Spenſers.

The Death of the Earl of *Lancaſter*, and the Severities exercis'd towards all his Adherents, of whom ſome were executed, others baniſh'd, and a great many depriv'd of their Eſtates, ſeem'd to have put the *Spenſers* in a fair way of enjoying their Fortune peaceably, without fear of any body's preſuming more to oppoſe their Power. They wanted nothing now to make themſelves perfectly eaſy, but to get ſome People out of the way, whom they look'd upon as private Enemies; and among theſe the Biſhop of *Hereford*, and young *Mortimer*, who was actually a Priſoner in the *Tower*. Theſe were nevertheleſs ſtill ſo formidable to the *Spenſers*, that when they had contriv'd to ruin them, tho their Credit was ſo great, they met with ſuch oppoſition as they did not expect. The Biſhop, whom they had charg'd with High Treaſon, was wreſted from the King's Judges with a ſort of Violence by the Archbiſhops of *Canterbury* and *Dublin*, on pretence that a Lay-Court had no Power to judge him. This Action ſtopp'd ſome Proſecutions that were actually begun, and ſome that were intended againſt other Biſhops who were in the ſame Circumſtances; and the Affair was brought before the Parliament.

Biſhop of Hereford, *and* Mortimer.

Mor-

MORTIMER indeed was more easy to be come at, because he had no Character to screen him; and therefore he was try'd, and condemn'd to Death, but the King chang'd that Sentence into perpetual Imprisonment. Not long after, this very *Mortimer*, tho a close Prisoner, laid a Plot to seize the *Tower*, and the Castles of *Windsor* and *Wallingford*: but his Conspiracy being discovered, he had the same Sentence pass'd upon him again, and the King was so gracious as to give him his Life once more. If it be consider'd that this Man had for his Enemies the two *Spensers*, to whom (as was before observed) he had done as much Damage as amounted to 60000 *l.* Sterling, it will not be disputed that he had a very powerful Protection, since it was able to counterballance the Interest of two such Favourites. This gives room to conjecture, that it was the Queen (*Isabella* of *France*) who rescued him from the Revenge of those two potent Enemies. And what fortifies the conjecture, is the Passion which the Queen discover'd for him afterwards; from whence it may be inferr'd, that their good Understanding commenc'd before *Mortimer* was committed to the *Tower*. To this it may be added, that it was much about the same time that the *Spensers* began to mortify the Queen, by abridging her of part of the Money that was assign'd her for her Maintenance; which made her complain to her Brother, *Charles the Fair*, that she was treated like a Servant-Maid. As it does not appear that the *Spensers* had any other Reason to complain of this Princess, 'tis very probable the Vexation they gave her was only to be reveng'd for the Protection which she had granted their Enemy: but it was a Revenge that cost them very dear, and involv'd the King himself *A.* 1323.

Edw. II. himſelf in their Deſtruction. *Mortimer* had not only the good Luck to eſcape the Doom that was awarded for him, but he ſoon after found means to convey himſelf out of the *Tower*, and fled for refuge to *France*, notwithſtanding all the Diligence that was us'd to retake him. Theſe few Particulars were neceſſary, juſt to ſhew the Man who afterwards acted ſo conſiderable a Part on the Theatre of *England*. 'Tis Time now to give the Subſtance of the Events of the four laſt Years of the Reign of *Edward* II. which concluded with his being depoſed. Some Differences which happened betwixt *France* and *England*, touching *Guyenne*, furniſh'd a Pretence for the late Troubles in *England*; but the Queen's Hatred of the *Spenſers*, I will be bold to ſay, her Paſſion for *Mortimer*, and the Thirſt after Revenge in thoſe whom the *Spenſers* had perſecuted, were the real Cauſes; which muſt be a little explain'd, for the better underſtanding of the Acts contain'd in the Beginning of this 4th Volume.

After the Treaty of *Montreuil*, between *Edward* I. and *Philip the Fair*, *France* and *England* had a very good Underſtanding together, till about the Beginning of the Reign of *Charles the Fair*, when an Accident happen'd, which, tho inconſiderable in it ſelf, made a Breach in the Union of the two Crowns. At a Town in *Agenois*, call'd *St. Sardos*, ſome Outrage was committed (what it was the *Fœdera* does not explain) and King *Edward*'s Officers neglecting to bring the Offenders to ſtrict Juſtice, the Perſons aggrieved appealed for it to the King of *France*, as ſovereign Lord of *Guyenne*. Upon the ſaid Appeal *Charles* iſſued an Arret, condemning ſome Gentlemen of *Gaſcoigne*, who were *Edward*'s Subjects, to Baniſhment, and confiſcating their

Breach betwixt the French *and* Engliſh *in* Guyenne.

their Eſtates to the Crown of *France*, particularly the Caſtle of *Montpezat*, on which the Town of *St. Sardos* depended. To prevent the Execution of this Arret, thoſe who commanded in *Guyenne* for King *Edward*, put a Gariſon in that Caſtle; which oblig'd the King of *France*, who was reſolv'd to go thorow ſtitch, to raiſe Troops in *Perigord*, and other neighbouring Places, in order to beſiege *Montpezat*. At the ſame time he ſent a Summons to *Edward*, to come and pay him Homage for *Guyenne*, and the County of *Ponthieu*. This was a very unlucky Buſineſs for the King of *England*, or rather for the *Spenſers*, who could not endure to hear of a War, becauſe the whole Kingdom was full of Malecontents. They reſolv'd therefore to ſend Ambaſſadors into *France*, to endeavour to put an End to this Difference by way of Negotiation; but the Ambaſſadors were not heard. *Charles* being reſolv'd to ſtrike while the Iron was hot, ſent his Uncle, the Count *de Valois*, to command his Army in *Guyenne*, where he made himſelf Maſter of the Diſtrict of *Agenois*, and ſome other Counties. *Charles* not content with theſe Advantages, threaten'd *England* it ſelf with an Invaſion; which gave the *Spenſers* a Pretext for depriving the Queen of the County of *Cornwal*, of which ſhe was in poſſeſſion: as if they had thought that County ran too great a Riſque, by lying in her Hands. It would be too tedious here to give the Particulars of all the Negotiations upon this Subject; of the Projects that were contriv'd, but ill executed, to relieve *Guyenne*; and of the little Reſiſtance that was made by the Earl of *Kent*, the King's Brother, who was ſent into that Country, to oppoſe the Progreſs of the Count *de Valois*: It will be ſufficient to obſerve, that *Edward* finding himſelf in no condition to *A.* 1314.

carry

Edw. II. carry on the War, was resolv'd, cost what it would, to put an End to the Difference by a Treaty. Therefore he dispatch'd the Bishop of *Norwich*, and the Earl of *Richmond*, into *France*, with the necessary full Powers, to make what Concessions soever they thought fit, with respect to the Difference in question. After King *Charles* had drill'd them on for some time, he signify'd to them by the Pope's Nuncios, That if the King of *England* would send his Queen to *Paris*, it was not to be doubted but she would obtain favourable Terms from the King her Brother. *Edward* accepted of the Proposal, and sent his Queen over to *France*, where she concluded a Treaty, importing in substance, That all *Guyenne* should be deliver'd up to the King of *France*; but that if *Edward* would come to *Beauvais*, and there do him Homage, then *Charles* out of love to his Sister, would restore that Province to the King of *England*, except the District of *Agenois*, and other late Conquests in that Country; as to which, *Edward* might form his Demands in the Court of Peers. *Edward* ratify'd this Treaty, and made Preparation to go and pay his Homage: but before the Time stipulated by the Treaty was come, an Expedient was agreed on to excuse him from that ungrateful Drudgery; which was, that he should give up *Guyenne*, and the County of *Ponthieu*, to Prince *Edward* his Son, who was then thirteen Years of Age; and that *Charles* should receive the Son's Homage, and restore him those two Provinces, on the payment of 60000 Livres Tournois.

Treaty betwixt Edward *and* Charles *of* France.

EDWARD, without any Hesitation, clos'd with an Expedient which suited well with his Inclination, and yielded those Lands to his Son, who set out immediately to pay his Homage for them. That was the fatal Term or Period of that

that ſhort Calm which *Edward* enjoy'd, after he had ſubdued the Barons. As ſoon as the young Prince was got to *Paris*, the Queen his Mother, who, in all probability, had manag'd the whole Intrigue, that ſhe might have him under her own Wing, began almoſt openly to take meaſures for putting the Deſigns ſhe had before concerted in execution. She held ſecret Councils, to which ſhe admitted none but *Mortimer*, and the other *Engliſh* Exiles, who had conſtant Acceſs to her; while the Biſhops of *Wincheſter* and *Exeter*, who were *Edward*'s Ambaſſadors, were excluded. At this time, ſo great were her Familiarities with *Mortimer*, and ſo little her Caution to conceal the Paſſion ſhe had for a Man whom ſhe ought to have baniſh'd from her Preſence, as an Enemy to the King her Husband, that ſhe gave the whole Court of *France*, and eſpecially *Edward*'s Servants, Reaſon to ſuſpect that not only ſome dangerous Conſpiracy, but ſomething yet more criminal, was carry'd on under the Cloak of their ſecret Conferences. The Biſhop of *Exeter* could not but be ſcandaliz'd to ſee it. He thought it was his Duty to inform the King his Maſter of it, as well as of the Suſpicions he had that ſome Miſchief was hatching againſt him; as it was eaſy to conjecture from the ſecret Conferences which the Queen held with the Exiles: and for this purpoſe he ſtole away from *Paris*, without taking his leave, in order to inform the King of all Paſſages. *Edward* had already begun to think it ſtrange, that the Queen ſhould make ſo many frivolous Pretexts to delay her Return, after he had wrote to her ſeveral times to come back, and bring her Son with her. And the Information he receiv'd from the Biſhop of *Exeter* oblig'd him to repeat his Orders, which were no better obey'd. At length, when *Iſabella* could

A. 1326.

His Queen's Proceedings in France.

form

Edw. II. form no more Excuſes upon the ſcore of the Affairs that brought her to *Paris*, ſhe ſent word to *Edward*, by the King her Brother, that ſhe was not willing to expoſe her ſelf any more to the ill Treatment of young *Spenſer*, who hated her. Mean time her Friends in *England*, eſpecially the Biſhop of *Hereford*, endeavour'd to debauch the King's Subjects, and to form a Party, which in a ſhort time became very conſiderable; and no wonder, conſidering how odious the *Spenſers* were to the People, and how contemptible the King. The Queen, on her part, was no leſs induſtrious to gain Friends: She had got a Promiſe of conſiderable Aſſiſtance from (*William*) the Earl of *Hainault*, by granting young *Edward* in Marriage to *Philippa* that Earl's Daughter. When ſhe had maturely concerted all her Meaſures, ſhe left her Brother's Court, from whence it was pretended that ſhe was expelled, and took the Road of *Hainault*, where ſhe found Troops ready, the Command of which the Earl of *Hainault* gave to *John* his Brother, Lord of *Beaumont*, whom *Iſabella* was glad to own for her Knight.

Her Invaſion of England. She embark'd with her Troops, and landed * in the County of *Suffolk*, where all her Friends came to join her, being headed by the Earl of *Kent*, the King's Brother, *Henry* Earl of *Lancaſter*, Brother to him who was beheaded, the Biſhops of *Lincoln* and *Hereford*, and many others, who brought her Forces, which they had muſtered privately for that Occaſion.

EDWARD flatter'd himſelf all along, that he ſhould be able to lay this Storm, by the Letters which he wrote to the Pope, the Cardinals, the King of *France*, his Wife, and his Son; not conſidering, that while he try'd thoſe fruitleſs Reme-

* *At* Orewell, *near* Harwich, *on* Sept. 22, 1326. *See* *Dr.* Kennet's *Hiſtory of* England.

dies,

dies, he gave the Queen and her Friends time to strengthen their Party. They had such good Success, that no body had the Courage or Inclination to declare for the King, when he went about to raise an Army to oppose the Invasion. The cold Reception he met with, almost wherever he came, oblig'd that unhappy Prince to retire to the Western Counties, where he hop'd to find more Friendship. But the People of those Parts were as disaffected as their Countrymen; the Queen having given out every where, by her self and her Friends, that she only aim'd at the Favourites, for whom the People had no great Affection. When she was at *Wallingford*, she publish'd a Manifesto to this very purpose, and continu'd her March to the West, in pursuit of the King. In this Extremity, *Edward* being destitute of Friends, Troops, and Money, resolv'd at last to submit to his ill Fortune; and having left *Spenser* the Father in *Bristol*, embarked on board a small Vessel, with a design to retire to *Ireland*: but the contrary Winds drove him on the Coast of *Wales*, where he was obliged to land, and not knowing which way to turn himself, lay hid for some time in the Abbey of *Neath*. Mean time the Queen came before *Bristol*, which making no great Resistance, *Spenser* the Father was there taken, and hang'd without any of the Forms of Law, at the Age of fourscore and ten *. The King being not to be found, and there being certain Advice that he was gone beyond Sea, the Lords who accompanied the Queen met at *Bristol*, and nam'd for Guardian, or Regent, of the Kingdom, young

A. 1326.

Edward *leaves the Kingdom.*

Old Spenser *taken and hanged.*

* He was drawn and hanged in his Coat Armour, upon the common Gallows, ripp'd up before he was dead, and was beheaded and quarter'd. *Kennet*'s History of *England*.

Edw. II. *Edward*, who took upon him the Adminiſtration. This done, the Queen march'd to *Glouceſter*, where ſhe put forth a Proclamation, inviting the King her Husband to come and reſume the Government; though according to all Appearance, and as the Sequel plainly demonſtrated, ſhe did not deſign he ſhould. A Rumour being now ſpread, that the King lay hid in *Wales*, the Earl of *Lancaſter* made ſuch ſtrict Search after him, that he found him; and having ſecur'd both him, and the Companions of his Fortune, *viz.* Young *Spenſer*, *Baldock* * the Chancellor, and *Simon Reading*, he brought them to *Monmouth*. Upon this News the Queen went to *Hereford*, where ſhe ſent for *Spenſer*, and cauſed him to be hang'd on a Gallows fifty foot high †. Then ſhe ſummon'd a grand Council, wherein it was reſolv'd, That as the Commiſſion of Guardian was expir'd by the King's Return, the Biſhop of *Hereford* ſhould be ſent to the King, to demand the Great Seal, without which they who were then at the Helm could do nothing that was valid. *Edward* being a Priſoner, deliver'd it with a good Grace, and authoriſed his Wife and Son to make uſe of it as they ſhould think proper, even in Affairs of mere Grace and Favour. As ſoon as the Queen had the Great Seal in her poſſeſſion, ſhe there-

The young one executed in like manner.

* Sir *Roger Baldock* was alſo Biſhop of *Norwich*. He was committed firſt to the Biſhop of *London*'s Priſon, from whence he was pull'd out by the common People, to be carry'd to *Newgate*; but they beat him ſo cruelly by the way, that he died of his Bruiſes, in great Torment. *Walſingham*'s *Chronicle*.

† He was at this time Earl of *Glouceſter*, and hanged in his Coat-Armour, with theſe Words writ on it, *Quid gloriaris in malitia?* Why boaſteſt thou thy ſelf in Miſchief? *Pſalm* 52. *Simon Reading* was hanged with him. *Daniel*'s Hiſtory of *Edward* II.

with

with ſeal'd all the Acts ſhe thought neceſſary, in the King's Name, and eſpecially an Order for calling the Parliament. This was one of the laſt Orders that was paſs'd in the Name and by the Authority of the King, tho he had no hand therein, and concludes the Acts of the fourth Volume of the *Fœdera*, ſo far as they relate to his Reign. There being a ſmall Chaſm in this Collection, between the Calling of the Parliament, and the Beginning of the Reign of *Edward* III. I ſhall juſt obſerve, for the ſake of connecting the Hiſtory, that the ſaid Parliament, which met towards the End of *January*, 1327, reſolv'd unanimouſly to depoſe *Edward* II. and to ſet his Son upon the Throne: which Reſolution would have been executed without any other Formality, if the young Prince had not proteſted upon Oath, that he would never accept the Crown, without his Father's Conſent. Upon this unexpected Reſolution, the Parliament ſent Deputies to *Kenelworth* (Caſtle, in *Warwickſhire*) where the King was then in Cuſtody, to require him to reſign the Crown; which the wretched ſtate of his Affairs did not permit him to refuſe. Nevertheleſs this Reſignation paſs'd for voluntary; and it was upon this Foundation that young *Edward*, who was but fourteen Years of Age, accepted the Offer of the Crown.

A. 1327. *P.* 242.

King Edward's *Reſignation to his Son.*

We proceed now to thoſe Acts of this fourth Volume, which relate to the Events abovemention'd: but as it would be a Task too tedious, to undertake to ſhew the Uſefulneſs of every one of thoſe Acts in particular, I ſhall therefore only ſingle out ſome of the moſt remarkable, by which one may judge of the Uſe that may be made of the others.

Edw. II.

A Miſtake of Mezeray, *about* Mortimer, *rectify'd. P.* 7, 8, 9.

IN the firſt Place, we find ſeveral Orders here, dated in *Auguſt*, 1323. and iſſued by the King, at *Kirkham* and *Pickering*, for apprehending *Mortimer*, who eſcaped out of the *Tower*; which ſhew that *Mezeray* was miſtaken, when he aſſerted that *Mortimer* made his Eſcape in 1325, and went to wait on (Queen) *Iſabel* at *Paris*, ſince it appears, that he was there near two Years before her.

Hue and Cry againſt Roger Mortimer. *P.* 22.

THE next we come to is a remarkable Piece, becauſe it makes mention of *Mortimer*'s being twice pardon'd. It was iſſued by the King at *Nottingham*, *Nov.* 14, 1323. and has this Title, *De huteſio & clamore*, which undoubtedly is underſtood by very few. 'Tis a Tranſlation of the *Engliſh* Words *Hue and Cry* *, which come from the *French Huer* and *Crier*. The *Engliſh* have a way ſometimes to find out lurking Criminals, which is practis'd no where elſe. The Conſtables, aſſiſted by all the People of the Village or Pariſh, make ſtrict ſearch in the Houſes and Fields, with great Crys, or *Hutes*, which they call Hue and Cry, which is carry'd from Pariſh to Pariſh, till they come to the Seaſide: and as no body can excuſe themſelves from aſſiſting the Conſtables, who have Power to ſearch every where, 'tis a very hard matter for the Malefactor to eſcape. Nevertheleſs *Mortimer* was not to be found, which ſhews he was already gone beyond Sea.

THE ſeveral Pieces we have in this Collection, relating to the Affair at *St. Sardos* (abovemention'd) make us perfectly acquainted with the Cauſe and Original of the Diſputes between *England* and *France*; which no Hiſtorian that I

* SEE Sir *Thomas Smith*'s Commonwealth of *England*, cap. 23.

know

know of, either *French* or *Engliſh*, has clearly explain'd. *Mezeray* ſays, that the ground of the Quarrel betwixt the two Kings, was *Edward*'s refuſing to aſſiſt at the Coronation of *Charles the Fair*, and the putting of a Gariſon by the Seneſchal of *Bourdeaux*, into a Caſtle which the Lord of *Montpezat* had built in the Territories of *France*. But the Hiſtorian was certainly miſtaken in both; for in the firſt place, as to the Coronation, there's not a ſingle Act in this Collection, tho there are a great many upon the Subject, which makes the leaſt mention of this firſt Cauſe of Quarrel: but there's a full Account of the Homage which *Edward* deferr'd, becauſe he pretended that the Summons was not made in due Form. As to the ſecond Particular, he is as much out in that as in the other; for the Diſpute was not about a Caſtle newly built, but about the Confiſcation of *Montpezat-Caſtle*, on account of a thing that happen'd at *Sardos*, which was a Village that belong'd to it. This Affair is perfectly well explain'd in ſeveral Pieces that we find in this Collection, both in the Reigns of *Edward* II. and *Edward* III. *A.* 1324. *Another Miſtake of* Mezeray.

THERE's an Order from the King, dated *Sept.* 18, 1324. for taking the County of *Cornwal* into his own Poſſeſſion again, becauſe of the riſque there was in leaving it in the Hands of the Queen. *King's Order about the County of* Cornwal. *P.* 84.

AND here we have a Letter from K. *Edward* to the Pope, dated *March* 8, 1325. at the Tower of *London:* which is a Piece the more remarkable, becauſe it ſhews that the firſt Propoſal of ſending *Iſabella* into *France* came from that Kingdom; that ſome eminent Members of K. *Charles*'s Council open'd the Matter firſt to the Pope's Nuncio's; and that the latter propos'd the Expedient to the *Engliſh* Ambaſſadors: Whereup- *His Letter to the Pope about ſending his Queen to* France. *P.* 140.

Edw. II. on the Biſhop of *Exeter* was diſpatch'd into *England*, to make the Propoſal.

The Treaty with the French King. P. 153.

THE Treaty which *Iſabel* made with the King her Brother, is inſerted here at large; a Treaty ſo diſadvantageous to the K. of *England*, that ſurely the *Spenſers*, who govern'd him, were terribly afraid of a War, or elſe they would never have adviſ'd him to ratify it: for he not only engag'd to deliver up all *Guyenne* to the King of *France*, without any other Security for the Reſtitution of it beſides *Charles*'s bare Word, a Security which his Father *Edward* did not like in the Caſe of *Philip the Fair*, but he alſo conſented that *Charles* ſhould keep the Territory of *Agenois*, only ſaving to himſelf the Liberty of having his Right to it diſcuſs'd in the Court of Peers: And finally, in caſe he ſhould happen to carry his Cauſe in that Court, he engag'd to pay a certain Sum towards the Charge of the War. By all which 'tis evident that *Iſabel* was not very mindful of her Husband's Intereſts. This Treaty is dated *May* 31, 1325.

Queen's Conſpiracy againſt her Husband.

QUEEN *Iſabel*'s Conſpiracy againſt her Huſband has been, I may venture to ſay, but lamely explain'd by the Hiſtorians. 'Tis perfectly ſurprizing to ſee this Queen, who had made no great Figure in *England* before ſhe went to *France*, return a Year after at the Head of an Army, and dethrone the King her Husband, without any previous Sign of her Intrigues. *Mezeray* only ſays, that her Brother *Charles* promis'd her Aſſiſtance againſt the *Spenſers*: but that afterwards when he heard of her Conduct with *Mortimer*, he turn'd her out of his Dominions, and forbad his Subjects to aſſiſt her: Whereupon this deſolate Queen took Shelter in *Hainault*, where *John*, Brother to the Earl of that Name, gave her a welcome Reception, declared

declared himſelf her Knight of Honour, and aſ- *A.* 1323.
ſembled 300 Knights to conduct her into *England.* ~~~
This Collection gives abundance of Light upon this Head, and ſhews, if I am not deceiv'd, that this Conſpiracy was form'd before the Queen went into *France*, and was carry'd on all the time ſhe was at *Paris.*

I WILL not here repeat what I have already ſaid, touching the Probability there is that her Correſpondence with *Mortimer* began in the Year 1323, or ſooner; and that it was owing to her Protection that the Life of that Man was ſav'd, which brought upon her all the Uneaſineſs ſhe ſuffer'd from the *Spenſers.* This being premis'd, it may be infer'd that the Queen her ſelf was the Author of her Journey to the King her Brother, ſince 'tis evident, as we have already ſeen, that the firſt Propoſal of it came from him. 'Tis equally probable that it was the Queen who was the Contriver of the Expedient for the Ceſſion of *Guyenne* and *Ponthieu* to her Son, for the Uſe ſhe made of it ſhews that ſhe was very much concern'd to bring it about; whereas it could not be imagin'd what Advantage the ſame would have been to the King of *France*, if it had not been only to do his Siſter a Favour. The *French* Hiſtorians ſay that *Charles* had no Hand in his Siſter's Conſpiracy, and that he even expell'd her his Dominions. But this Collection, I think, ſhews very clearly that he enter'd very far into the Secret: for beſides that *Mezeray* makes no Scruple to own, that the King had promis'd his Siſter a Supply both of Men and Money, the deſire the King expreſs'd to ſee her, and his readineſs to come into the Alteration or Exchange of *Edward* the Father's Homage into that of *Edward* the Son, could proceed from no other Cauſe but a deſire to ſerve

Another Miſtake in Hiſtory diſcover'd.

Edw. II. her; otherwiſe it would have been more honourable for him to receive Homage from the King of *England*, than from his Son. He had ſo few Objections to make to this Alternative, that the Negotiation was concluded in leſs than a Fortnight: for the Acts of this Volume ſhew
P. 163. that on the 21ſt of *Auguſt*, 1325, *Edward* thought even of going himſelf to pay the Homage; but that on the 24th he wrote to the King of *France* from *Langedon* near *Dover*, to deſire to be excus'd, on pretence of his being ſuddenly taken ill upon the Road: That by Letters Patent
P. 164. dated at *Langedon-Abbey* aforeſaid, on the 2d of *September* following, he made over the County of *Ponthieu* to his Son; that the Letters Patent by which King *Charles* conſented to it, are dated
P. 165. the 4th of *September*; that on the 10th *Edward* made a Conveyance of *Guyenne* (according to a Form which had been ſent him from *France*) by
P. 168. an Inſtrument dated at *Dover*; and that on the 12th his Son *Edward* embark'd for *France*. If to this we add, that the King of *France* kept his Siſter at Court almoſt a whole Year after he had receiv'd the Homage of the young Prince, maugre all the Sollicitations of *Edward*, who preſs'd him many times to ſend her home again; that the ſaid Princeſs was ſtill in *France* on the 4th of
P. 226. *September*, 1326, as appears by a Letter from *Edward* of that Date to the Inhabitants of *Bayonne*; and that ſhe landed in the County of *Suffolk* on the 22d *Ditto*; we muſt be of Opinion that all Affairs were concerted before ſhe left the Court of the King her Brother, and by conſequence that ſhe was not expell'd, as is pretended, till it was time for her to enter upon Action.

HERE is *Edward*'s Anſwer dated at *Weſtminſter*, *December* 1, 1325, to *Charles the Fair*, who had ſignify'd to him that the Queen could not return into *England*, becauſe ſhe was ſo much hated by *Spenſer* the Son. In this Anſwer *Edward* juſtifies *Spenſer*, and aſſures the King of *France* that he had never been wanting in his due Reſpect to the Queen; and that if he had, he ſhould not have eſcap'd Puniſhment; *for by God*, ſays he, *there is neither* Hugh, *nor any Man living in our Power, who means her any Harm, but if we knew it, we would puniſh in ſuch a manner that others ſhould take warning; and this is, was, and always ſhall be our Will, and God be thank'd we have the Power in our own Hands.* He added, that he could not conceive what made his Wife complain of *Spenſer*, conſidering how extreme civil ſhe was to him when he took his leave of her, and the very affectionate Letters ſhe had ſent him ſince her departure. *A.* 1325. *P.* 180. *King* Edward's *Letter to the King of* France, *about his Queen and* Spenſer.

HE wrote a Letter the ſame Day to his Queen preſſing her to return, and told her that the Biſhop of *Wincheſter* had aſſur'd him, that in his Preſence the King her Brother had proteſted that he would not detain her contrary to the Tenor of her Paſſport. The Letter begins with the Word *Dame*, which I know not whether it was the ordinary Style, or whether he gave her ſo dry a Title by reaſon of the Matters of Complaint he had againſt her. *Another to his Queen.* *P.* 181.

THE next day he alſo wrote a Letter to his Son, which by reaſon of its brevity, and to give an Idea of the *French* Language at that time, I ſhall here inſert intire. *And to his Son.* *P.* 182.

Treſcher Fiutz, tot ſoiez vous joefue, & de tendre age, remembrez bien ceq que nous vous chargeaſmes, & commandaſmes, a veſtre departir de nous, a Doure, & de

Edw. II. *& de ceo que vous nous reſpondiſtes lors, dount nous vous ſavions molt bon gre, & ne treſpaſſez, ne contravene, en nul poynt, ce que nous vous chargeaſmes adounque pur nully.*

Et puis qu'il eſt enſi, que veſtre Homage eſt reſceu, eſploitez vous devers notre treſcher Frere le Roy de Fraunce veſtre Uncle, & parnez veſtre conge de lui, & venez, par devers nous en la compaignie, noſtre treſchere compaignie, la Roine, veſtre Mere, ſi ele veigne tantoſt.

Et ſi ele ne veigne, venez vous, oue tote haſte, ſanz plus longe demoere; car nous avoms treſgrant deſir de vous veer, & parler: Et ceo ne leſſetz, en nulle manere, ne pur Mere, ne pur autri, ſur noſtre beneizon.

i. e. Moſt dear Son, remember in your Youth and tender Age what we charg'd and commanded you when you left us at *Dover*, and what you ſaid to us in Anſwer, with which we were mightily pleas'd; and do not treſpaſs or contravene what we then charg'd you in any point, upon any account.

And ſince your Homage has been receiv'd, go to our moſt dear Brother the King of *France*, your Uncle, and take your leave of him; and then come away to us in the company of our moſt dear Companion the Queen, your Mother, if ſhe comes ſo ſoon.

And if ſhe does not, come you with all haſte without longer ſtay, for we have a very great deſire to ſee and ſpeak with you. And hereof fail not by any means, neither for Mother, nor for any other Perſon, as you tender our Bleſſing.

MANY

MANY Hiſtorians, even of the *Engliſh*, have affirm'd, that *Edward* being provok'd at the Diſobedience both of his Wife and Son *, baniſh'd them both by a Proclamation; but this has no other Foundation than a Report which had been current in *France*, as appears by a Letter which King *Edward* wrote to the Pope on this Subject, dated *April* 15, 1326. from *Kenelworth*; wherein he complain'd of thoſe who were the Propagators of thoſe falſe Reports, and aſſures him, that ſuch a Thought never came into his Head, for that inſtead of hindring their Return he did all that lay in his Power to bring them home. *Et idem filius noſter*, ſaid he, *erga nos non deliquit, nec permittit ætatis teneritudo ut ſibi offenſa aliqua poſſit, aut debeat imputari. Propter quod inhumanum foret, nec fœdus permitteret naturale, tantæ crudelitatis ſævitiam contra eos exercere.* i. e. And as for our ſaid Son, he has not offended us; and indeed the Tenderneſs of his Age is ſuch, that he cannot be chargeable, either with the doing or intending any Harm. Wherefore it would be both inhuman and unnatural to treat them with ſo much Rage and Cruelty. *A.* 1326. *A Miſtake in many Hiſtories, confuted by the King's Letter to the Pope, about his Wife and Son.* *P.* 200.

EDWARD no ſooner heard the News of the Queen's being landed, but he publiſh'd a Proclamation from the *Tower* of *London*, on the 27th of *September*, 1326. for purſuing and deſtroying all the Invaders of his Kingdom; but he excepted the Queen, his Son, and the Earl of *Kent*, his Brother. And by another Proclamation from thence next Day, he put a Price upon *Mortimer*'s Head, promiſing to the Perſon who brought it, the Pardon of all his Crimes, and *His Proclamation againſt the Invader* Mortimer, *&c.* *P.* 231, 232.

* WE find it particularly in the *Compleat Hiſtory of England*.

Edw. II. a Reward of Three Pounds † Sterling; which was ſuch a Trifle for ſo notable a Service, that I cannot help thinking there has been ſome Miſtake in the Tranſcript.

Manifeſto againſt the Spenſers. *P.* 236.

HERE is alſo the Manifeſto of the Queen, of *Edward* the Son, and of the Earl of *Kent*, againſt the *Spenſers*, in the uſual Style of Pieces of this nature, where the main buſineſs is to ſhew that nothing is aim'd at but the Good of the Publick: 'Tis dated at *Wallingford*, *October* 15, 1326.

Edward *the Son appointed Regent.* *P.* 237.

THERE is likewiſe a Memorandum, dated the 26th of the ſame Month, at *Briſtol*, of the Nomination then and there made of *Edward* the Son, for Guardian or Regent of the Kingdom; and of the ſending the Biſhop of *Hereford* to the King, to demand the Great Seal. In it are theſe Words, *Et idem dominus rex, habitâ inde aliquali deliberationi penes ſe, reſpondebat, Quod placuit ſibi, mittere dictum magnum ſigillum ſuum, præfatis conſorti ſuo, & filio; & quod iidem conſors & filius, dictum ſigillum, ſub privato ſigillo ſuo tunc clauſum, aperiri facerent, & non ſolum ea quæ pro jure & pace eſſent facienda, ſed etiam quæ gratiæ forent, ſub dicto magno ſigillo, fieri facerent.* i.e. And the ſaid Lord the King, after having deliberated within his own Breaſt, made anſwer, That he approv'd of the ſending of his ſaid Great Seal to his Conſort and Son aforeſaid; and of their cauſing the ſaid Seal, then included in his Privy Seal, to be open'd; and that under the ſaid Great Seal they ſhould tranſact not only thoſe Things which might be done both by Law and for the ſake of Peace, but alſo thoſe Things which were Acts of mere Grace and Favour.

† MR. *Daniel*, in this King's Life, in the Hiſtory aforeſaid, makes it 1000 *l.*

THIS

THIS Great Seal was made uſe of to procure the Payment of ſome of the Queen's Debts, for reſtoring the Eſtate of the Earl of *Richmond*, which the King had cauſed to be confiſcated, becauſe the ſaid Earl had had a Hand in the Treaty of *Paris*; and laſtly, it was made uſe of to aſſemble in the King's Name and Authority, that very Parliament which was to depoſe him. *A.* 1324. *P.* 239, &c.

THESE being the moſt remarkable Pieces in the Beginning of this fourth Volume, which relate to the domeſtic Affairs of *England*, we proceed now to the

Affairs of Scotland.

DURING the four laſt Years of the Reign of *Edward* II. we find nothing remarkable in this Collection with reſpect to *Scotland*, but a Letter dated at *Avignon*, in *January* 1324. from Pope *John* XXII. to this Prince; wherein he informs him of his Reaſons for giving *Robert Bruce* the Title of King of *Scotland*, which he had till then refus'd him; which, ſaid he, can be no Prejudice to the Rights of *Edward*. *Pope's Letter to* Edward *about* Robert Bruce. *P.* 28.

FROM thence it may be inferr'd, that the Excommunication againſt the Perſon of *Robert* was taken off; but it was not ſo with reſpect to the Interdict on the Kingdom of *Scotland*, which lay under it till the Peace that was made in the Beginning of the Reign of *Edward* III.

Affairs Eccleſiaſtical.

THE Collation to Biſhopricks bred freſh Quarrels from time to time between the Pope and the King, and by conſequence gave the latter freſh Mortification; a very great Inſtance of

Edw. II. of which was the Caſe of the Biſhoprick of *Winchester*, which I ſhall explain in a Word or two, becauſe it was one of the principal Subjects of the Acts of theſe four Years. *Edward* had ſent Ambaſſadors to the Pope, *Rigand* Biſhop of *Wincheſter*, and *John Stratford* Archdeacon of *Lincoln*. The former dying at *Avignon*, *John* XXII. according to the Uſage already eſtabliſh'd, being to diſpoſe of that Biſhoprick, and the King at laſt acknowledging the Pope's Right, which he had before in vain oppos'd, he immediately gave Orders to *Stratford*, to deſire that Biſhoprick for *Robert Baldock*, who was afterwards Chancellor. *Stratford* acted his Part ſo well, that he procur'd it for himſelf; which put *Edward* into ſuch a Paſſion with his Ambaſſador, that he called him a Prevaricator. He wrote ſeveral Letters to the Pope, to get this Nomination revoked: but it was in vain; for *John* ſtood by what he had done, and ſent home the new Biſhop, with a Letter of Recommendation, in which he aſſur'd *Edward*, that *Stratford* did all that was in his Power to get *Baldock* promoted to the Biſhoprick, but that *Stratford*'s own extraordinary Merit had determin'd him to gratify him with it, in which he hop'd he had done the King a Pleaſure. When this Biſhop was returned, *Edward* was reſolved to proſecute him for ſeveral matters charg'd upon him relating to the other Articles of his Embaſſy; but he could not carry his Point ſo far as to get him condemn'd: and this Affair came juſt to the ſame Concluſion as thoſe of this Nature generally did, that is to ſay, the new Biſhop was approv'd by the King, after having renounc'd the Article of the Pope's Bull which aſſign'd him the Temporality.

Diſpute between the King and the Pope, about the Biſhop of Wincheſter.

EDWARD

EDWARD undertook another Affair, in which he ſucceeded no better. He would fain by the Pope's Authority have depos'd the Archbiſhop of *Dublin*, the Biſhops of *Lincoln*, *Bath* and *Wells*, *Hereford*, and *Condom* in *Guyenne*; or, at leaſt, have tranſported them out of his Dominions. This occaſioned a great Number of Letters, which this Prince ſent to the Pope, but were of no Availment. *A.* 1324.

IN *January*, 1324, we find *Edward* complaining to the Pope, *&c.* in 3 Letters dated from *Kenelworth*, of a certain Prerogative called *Conſervatiæ*, which was pleaded by a certain Cardinal, Archdeacon of *Ely*, when he ſummon'd the Biſhop of the ſaid Dioceſs to appear before him. I know not what thoſe *Conſervatiæ* meant which *Edward* in his Letters call'd *Novæ adinventiones, quæ à tramite juris communis exorbitant*; i. e. New Inventions, which ramble wide from the Path of Common Law *. It ſeems to have been ſome Privilege granted to the Cardinals, with reſpect to the Benefices they held in *England*; but I only give this by way of conjecture. Edward's *Complaint of the* Conſervatiæ. *P.* 25, 26, 27.

AS the Pope took care to maintain his Authority, he was no leſs diligent to augment his Revenues. We find here, that *John* XXII. after having granted the King a Tenth upon the Clergy, for the War againſt *Scotland*, reſerv'd to himſelf for the Time to come, by another Bull, the fourth Part of the ſaid Tenth, for the preſſing Neceſſities of the Holy See. *Edward* refus'd for a while to pay the Pope the ſaid fourth Part, becauſe Reſervation had not been

* 'TIS particularly remark'd of this Pope, that he was fond of Novelties, always changing the old Dignities and Societies in the Church for new ones.

made

Edw. II. made thereof in the firſt Bull: upon which the Pope wrote him a very ſevere Letter from *Avignon*, in *October* 1323.

Pope's Letter to Edward, *about the Tenths. P.* 19.

NEVERTHELESS *Edward* did not flinch till 1326. when finding himſelf in very great Perplexities, he wrote to the Pope, that he referr'd himſelf intirely to his Diſcretion upon that Head.

THE Obligation which the Archbiſhops of *Canterbury* were under, to go and receive the Pall in Perſon from the Pope's own Hand, was ſo eſtabliſh'd, that from the time of *Honorius*, who was the third Archbiſhop of that See, no body had been excus'd from it. And we find that in the Reign of *William the Conqueror*, *Lanfranc*, tho he was in ſuch high Eſteem at the Court of *Rome*, could never obtain this Diſpenſation. *Walter Reynolds*, who was elected in 1313, had better Fortune; for he receiv'd the Pall at *Canterbury*, and obtain'd from *Clement* V. a Delay of five Years, which, we ſhall find in the Acts of this Collection, was often renew'd.

THIS Pall was become ſo neceſſary to the Archbiſhops, that it was reckon'd ſuch an eſſential Mark of their Dignity, that they could not exerciſe their Functions without it: For we find here, that ſome Thief having ſtole away the Archbiſhop of *York*'s Pall, the King wrote a Letter to the Pope, from *Kenelworth*, *April* 1, 1326, to deſire him to ſend his Grace another *.

* THE *Pallium*, or Pall, was a ſort of Mantle, worn by the Emperors, as an Enſign of Power, and by them in the 4th Century imparted to the Prelates, as a Mark of their Authority over the inferior Orders. At firſt it reach'd from Neck to Heel, covering all the Body, reſembling a Prieſt's Cope, but that it was cloſe before. Afterwards it became

became a kind of Stole, which hung before and behind, with four ſcarlet Croſſes, one on the Breaſt, another on the Back, and one on each Shoulder. The Popes gave it at firſt to Primates and Apoſtolick Vicars only; but not to any Weſtern Prelate, before the 6th Century. In the 8th they granted it to all Metropolitans, or Abbats, and afterwards to ſeveral conſiderable Biſhops, who receiv'd this Pall at Conſecration, till when they could not exerciſe any Function. It was us'd only at the Altar, in the Celebration of ſolemn Maſs, when they put it about their Necks, above their other Pontifical Ornaments. Dr. *Howel* ſays, It is made of Lambs Wool, without any artificial Colour, ſpun by a peculiar Order of Nuns; that 'tis adorned with little black Croſſes, having two Labels hanging down before and behind; and that on certain Days 'tis caſt into St. *Peter*'s Tomb. We read that they ſometimes put it upon the Corps of Patriarchs and Archbiſhops when they are buried.

THE *Romiſh* Prelates pay a great Rate for this Pall; inſomuch that Dr. *Howel* tells us, That Dr. *Gray*, when choſe Archbiſhop of *York*, in the Reign of King *John*, gave for his no leſs than 1000 *l.* By the ſuperſtitious Order of the Church of *Rome*, it ſhould be made of the Wool of thoſe two Lambs, which being offer'd at the High Altar, upon St. *Agnes*'s Day, are, after the hallowing of them, committed to the Sub-Deacons of that Church, and kept by them in a particular Paſture. It muſt be noted, that the whole Garment is not of the Woollen Manufacture, but only that Liſt or Plaite of it, which falls down before and behind, and goes round the Neck. *Claude Villette*, a Canon of St. *Marcellus*, relates this whole Affair at large, in his Book called *Raiſons de l'Office & des Ceremonies de l'Egliſe Romaine*.

Edw. III.

We come now to the Martial Reign of Edward III. *of which Mr.* Rymer *gives the following general Account, in his Dedication of this fourth Volume to the late Queen, in the Year* 1707.

General Character of his Reign.

'THIS Book, may it please your Majesty, gives a Prospect into the Reign of your most noble Progenitor, King *Edward* III. a Time of great War and great Successes.

'SOME Years from the Beginning of his Reign, he wrote himself King of *FRANCE*; and before the End of his Reign, he saw his younger Son (that was born at *Gaunt*) saluted KING of *SPAIN*.

'HIS CONFEDERATES, the Counts of *Holland* and *Zealand*, the Marquesses of *Cleve* and *Juliers*, the Dukes of *Brabant* and *Guelder*, of the *Nassau* Family, the then Emperor, and other *German* Princes; Names (till now from your Archives reviv'd and rais'd to light) long buried in Oblivion. These his CONFEDERATES seem much-what of the same Mould with YOUR MAJESTY'S ALLIES.

'IN the 20th Year of his Reign was the Battle of *Cressy*.

'IN the 30th was the Battle of *Poictiers*.

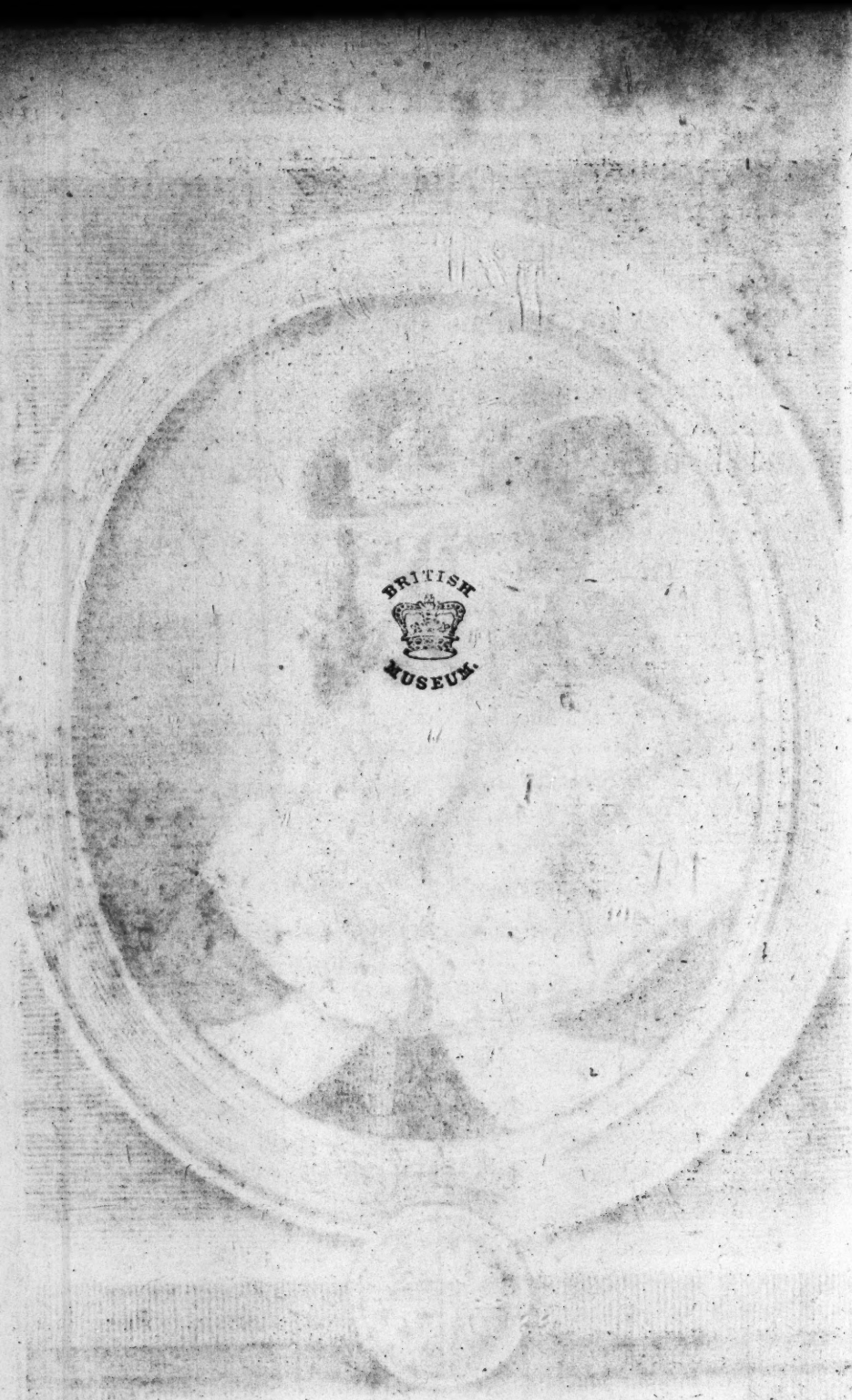
'IN the 41st Year of his Reign was that total Rout given to the United Forces of *France* and *Spain*; whereby King *Pedro* was set upon the Throne, his Rival forc'd to quit the Kingdom, and flee into *France* for Shelter, *&c.* *&c.*'

THE

N. B. DR. *Nicholson*, late Bishop of *Carliste*, and now of *Londonderry*, speaking of this Prince, calls him the GREATEST in EUROPE, of his time, and the GLORY OF OUR ENGLISH THRONE. And Mr. *Joshua Barnes*, whose Account



KING EDWARD THE III.D


BRITISH
MUSEUM

THE Acts in the *Fœdera*, which relate to the Reign of *Edward* III. take up the far greateſt part of the 4th Volume, all the 5th and 6th Volumes, and part of the 7th. To make an Extract of every Piece in thoſe Volumes, would be a Work too tedious and voluminous; therefore we ſhall confine our ſelves to thoſe Acts which are of moſt Importance, and which are moſt capable of giving any light into this Reign, one of the moſt conſiderable in the *Engliſh* Hiſtory.

THE chief Tranſactions of this 4th Volume, which takes in the eleven firſt Years of *Edward* III. may be reduc'd to four principal Heads.

Account of his Reign is the beſt that can be conſulted, in the Opinion of that Learned and Right Reverend Antiquary, gives this general Character of *Edward* III. in his Preface.

'THE Subject Matter of 'my Diſcourſe is the Honour of my Country, the 'Life and Actions of one of 'the greateſt Kings that perhaps the World ever ſaw.— 'It is an old Obſervation, '*That Subjects uſually conform themſelves to their 'Prince*: And here certainly, if ever any Great and 'Martial Monarch was Lord 'of any like himſelf, we ſhall 'find this King to have been 'ſo: Many great and renowned Heroes and Captains, bold in Attempts, 'wiſe in Conduct, and fortunate in Succeſs, being 'thick almoſt in every Page 'of this Hiſtory: wherein 'will appear the greateſt Variety of Adventures, the 'moſt hazardous Enterprizes of War, the moſt exact 'Counſels, and politick Negotiations, and the moſt 'frequent inſtances of Courage, Piety, Generoſity, and 'Princely Conduct; with 'the moſt wholeſom Laws 'and Rules of Government, 'that perhaps the whole 'World can furniſh us with-'al, in ſo ſhort a Period of 'Time.'

AND the Reverend Mr. *Eachard*, in his Introduction to this Reign, ſays, The *Engliſh* Nation not only recover'd Vigour and Strength in it, but alſo Beauty and Glory.

I. Domestic Affairs.
II. Those common to *England* and *Scotland*.
III. *EDWARD*'s Quarrels with *France*.
And,
IV. Affairs Eccleſiaſtic or Religious.

To give an account of the numerous Acts foreign to theſe four Articles, would ſwell this Work to a much greater Bulk than the *Fœdera* it ſelf.

Article I. Domestic Affairs.

King Edward III. *enters on the Government.* *P.* 243.

EDWARD III. was but fourteen Years of Age when he came to the Crown; which tho his Father had been forc'd to reſign, yet in the very firſt Proclamation that was publiſh'd in the Name of the new King, dated at *Weſtminſter*, *Jan.* 29, 1327, his Miniſters make him ſay in the Preamble, that he took the Government of the Kingdom upon him, not only by the Conſent of his Father, but in Obedience to his Orders *. By this, and many other Acts

* Mr. *Daniel*, in his Hiſtory of this Reign, remarks, that this Preamble was intended to palliate the wrong done to the Father, but that it made it more apparent.

Dr. *Kennet*, in his Notes upon this Hiſtorian, would have the Reader obſerve, that he was no Friend to the Barons and their Cauſe.

Bishop *Nicholſon* has a remarkable Note with reſpect to thoſe Barons, *viz.* That the Barons who join'd with the Earl of *Lancaſter* againſt *Edward* II. being too great and powerful to be nam'd Rebels, had the ſofter Name of *Contrarients* beſtow'd on them; and he takes notice of a Roll of Records in the *Tower*, which is from them call'd *Rot. Contrarientium*.

Mr. *Barnes* ſays, a General Pardon was proclaim'd at his Acceſſion, which gave occaſion to ſucceeding Kings to follow the Example of ſo great a Precedent.

of

of the like nature, 'tis manifeſt that the Declarations of Princes are not always the ſafeſt Vouchers for the Truth of Hiſtory. *A.* 1327.

THE ſame Parliament which depos'd *Edward* II. caus'd *Edward* III. to be proclaim'd, and choſe him twelve Guardians or Governors, of whom *Henry* Earl of *Lancaſter* was to take care of his Perſon: But this was a Nomination intirely uſeleſs, for the Queen, who had the Power in her own Hands, ſeiz'd the Government, and left the Guardians appointed by Parliament nothing more than the Shadow of Authority, while *Roger Mortimer* govern'd under her with abſolute Power. But the Parliament, far from reſenting it vigorouſly, ſeconded the Deſigns of the Queen and her Miniſter, Deſigns which had no other End but to run down the late Government. The Exiles were recall'd, the Conduct of the late Earl of *Lancaſter* was approv'd of, and the Judgment given againſt him revers'd, as contrary to the Laws of the Kingdom. The Biſhops of *Wincheſter*, *Norwich*, *Lincoln* and *Hereford*, were reſtor'd to their Temporalities, and had the chief Management of Affairs under the Direction of the Queen and *Mortimer*. And all the Sentences paſs'd againſt the Adherents of the Earl of *Lancaſter* were revers'd, upon a Suppoſition that they had been extorted by the Credit of the *Spenſers*. This is the main Subject of the firſt Acts of this Volume, which contain the Petitions preſented to the Parliament by thoſe who had been diſgrac'd in the late Reign.

His Guardians mere Cyphers.

Queen and Mortimer *govern all.*

ISABEL had a Dowry ſettled upon her, which ſwallow'd up two Thirds of the Revenues of the Crown; and ſhe paid the very Debts that ſhe had contracted in *France*, out of the publick Treaſury. Moreover, ſhe made an Aſ-

Queen's Revenue.

Edw. III. signment of a yearly Penſion of 1000 Marks to *John* Earl of *Hainault*, who had accompany'd her to *England*.

From P. 249. to P. 262.

All the Meaſures taken by the Queen, *Mortimer*, and the Parliament, were to render the late King's Conduct odious, in order to juſtify what they had done to him. When *Iſabel* undertook her Expedition againſt her Huſband the King, ſhe relied chiefly on the Support of the Adherents of the late Earl of *Lancaſter*, who was beheaded at *Pontefract*; and it was they, properly ſpeaking, that depos'd King *Edward* II. and plac'd his Son upon the Throne. Therefore, in order to give ſome Colour for the exceſſive Rigor with which the late King had been treated, it was neceſſary, not only to juſtify that Earl's Conduct, but even to cry up his Merit, and ſet it in oppoſition againſt the pretended Injuſtice of *Edward* II. And the People being at that time ſo prepoſſeſs'd in favour of the Earl, that they went even to St. *Paul*'s Church to worſhip his Picture, as I have already mention'd; they did not let the favourable Conjuncture ſlip, but thought proper to write to the Pope in the Name of the King, deſiring him to canonize *Thomas* Earl of *Lancaſter*: And theſe were ſome of the Expreſſions made uſe of in the Letter dated at *London*, the laſt Day of *February*, 1327.

Inſtance made for canonizing the Earl of Lancaſter.

Quadam floruit prærogativâ conſtantiæ ſingularis. Nam ſtatutis & ordinationibus Regni Angliæ, ſecundum Deum, pro utilitate Reipublicæ & defenſione libertatis Eccleſiæ, digeſto Regni Conſilio, rationaliter promulgatis, juratus corporaliter & adſtrictus, promiſſam Deo fidem inviolabiliter tenuit, & inſurgentes ex adverſo Regis & Regni perfidos ſeductores, zelo juſtitiæ corripuit magnanimiter & contrivit.

Poſt

Poſt plurima, atque longa, quæ ſic in puritate Spiritus, & ſpe cœleſtis retributionis, peregit, certamina, juſtus ab injuſtis capitalem devote ſubiit ſententiam, & ſic in Domino feliciter obdormivit. Qui jam velut fluvius de loco voluptatis ad irrigandum egregiens Paradiſum, in partes diviſus, terram Angliæ ſancti ſui ſanguinis effuſione, rubricatam rore cœleſti, temperat ſalubriter & fœcundat, dum ad piam ejus invocationem, tot glorioſa, ſuprà naturam, divinitus fiunt miracula & infinita ſalutis remedia, favente Deo, per ipſius preces & merita conceduntur. A. 1327.

i. e. HE was eminent for his ſingular Conſtancy, which he retain'd as a Prerogative; for having corporally ſworn, and bound himſelf before God, to keep the Statutes and Ordinances of the Realm of *England*, promulged by Order of the Council of the Realm, for the Benefit of the Republick, and the Defence of the Liberty of the Church, he inviolably kept his Oath to God; and out of his Zeal for Juſtice, magnanimouſly check'd and cruſh'd the perfidious Seducers who roſe up againſt the King and Kingdom. After many and tedious Conflicts which he went through, in the Purity of the Spirit, and the Hopes of a Reward in Heaven, the juſt Man devoutly ſuffer'd the Sentence of Death paſs'd by the unjuſt, and ſo ſweetly ſlept in the Lord: And now like a River deſcending from ſome pleaſant Place to water Paradiſe, being divided into ſeveral Branches, gives a wholeſom Temperature and Fruitfulneſs by its Celeſtial Dew to the Soil of *England*, which is dyed red with the Effuſion of his ſacred Blood; while through the pious Invocation of his Name, ſo many glorious ſupernatural Miracles are wrought by Inſpiration, and while the infinite Remedies of Salva-

Edw. III. tion are by the Grace of God granted through his Prayers and Merit.

'Tis no wonder at all, conſidering the then Circumſtances of the Court of *England*, that thoſe who govern'd in the King's Name, ſhou'd write ſuch a Letter. But one cannot help thinking it ſtrange, that *Edward* III. when he came of Age, and was perfectly acquainted with the Wrong that had been done his Father, ſhould ſollicit this Canonization more than once; particularly by two Letters he wrote to the Pope and Cardinals from *Wincheſter*, *March* 7. 1330; and by two others to the ſaid Pope and Cardinals, dated from *Eltham*, the 3d Day of *April* 1331: Nevertheleſs, this new Saint was not plac'd in the Calendar till the following Reign. But tho his Canonization was a long time a coming, yet he was reverenc'd beforehand as a Martyr: And we find a Permiſſion from the King, ſign'd at *York*, *June* 8. 1327. to make a Collection for building a Chapel on the very Spot where the Earl was beheaded.

P. 421. *and* 477. *King* Edward's *Letters for canonizing the ſaid Earl.*

P. 291.

Thus the main Point was to blacken the Government of *Edward* II. The Condition of that depos'd King, as deplorable as it was, yet it gave Uneaſineſs to the Queen and *Mortimer*. *Henry* Earl of *Lancaſter*, who had him in his Cuſtody at the Caſtle of *Kenelworth*, had no reaſon to be fond of him; but his natural Generoſity did not permit him to inſult the Prince's Miſery: and tho he took care that his Priſoner ſhould not eſcape, yet he paid his Devoirs to him; at which the Queen was alarm'd. This, added to ſome particular Reaſons which that Lord had to be diſguſted with *Iſabel*, who had ſeiz'd the Government to his

Prejudice, made that Princeſs of Opinion, that it was not ſafe to leave the King any longer in his Cuſtody. Therefore ſhe diſpatch'd an Order to Sir *John Maltravers* and Sir *Thomas Gournay*, to take *Edward* from *Kenelworth* Caſtle, and carry him to that of *Berkley*, (in *Glocester-ſhire.*) Theſe two Gentlemen, the moſt brutiſh of the human Species, made that unhappy Prince ſuffer a thouſand horrid Indignities, enough to have broke his Heart; and thoſe who put him into their Hands meant no leſs: but his Conſtancy was proof againſt all their Barbarities: So that theſe Means failing, the two Guards had Orders to diſpatch him with all the Secrecy poſſible. They executed their Commiſſion in a manner the moſt ſhocking to human Nature, by thruſting up a hot Iron into his Fundament, thro a Pipe or Horn, and burning his Entrails *: This was done immediately after the young King's Expedition againſt the *Scots*. But the Miſcreants, inſtead of receiving the Reward they expected, were forc'd to fly, after they had ſeen the very Perſons that had employ'd them, the firſt to diſown them, in order to ſmother that Part which they themſelves had in their Parricide.

A. 1327.

Murder of King Edward II.

* MR. *Barnes* ſays, this Murder was committed on the 21ſt of *September* 1327, at Midnight, not when he was about to disburden Nature, according to Dr. *Howel* and others, but as he lay faſt aſleep in his Bed: and that the Keepers being a little ſtartled at the Orders from the Queen and *Mortimer*, tho they ſpar'd no other ill Uſage, ſent to the Biſhop of *Hereford*, a fit Caſuiſt, who was, it's thought, the Adviſer of it, to know whether it was lawful; to which the Biſhop ſent this Anſwer, according to Sir *Tho. de la More*, *Edwardum occidere nolite timere bonum eſt*; i. e. *To kill King* Edward *you need not to fear it is good*: which Anſwer, according to the placing of the Commas, was either a Plea for himſelf, or an Incouragement for them.

Edw.III.

Edw. III's *Marriage with the youngeſt Daughter of* William *the good Earl of* Hainault. *P.* 306. *P.* 323.

NOT long after, *Edward* III. ſolemniz'd his Marriage with *Philippa* of *Hainault*; which Match had been made up by his Mother before her Return to *England*. We have here the Pope's Bull of Diſpenſation for that Marriage, dated in *October*, 1327, at *Avignon*; as alſo a Paſſport, dated by the King at *Clypſton*, the 28th of *November* following, for the Earl of *Hainault* to bring over his Daughter to *England*, to conſummate the Marriage.

His unſucceſsful Expedition againſt the Scots.

NOT long before the King's Marriage, he had made an Expedition againſt the *Scots*, in which he had ill Succeſs. *Robert Bruce* having broke the Truce, had ſent his Troops to ravage the Frontiers of *England*; which oblig'd the *Engliſh* to raiſe a great Army to drive them out of the Country. *Edward* put himſelf at the Head of this Army: but after a great many fruitleſs Attempts to bring the Enemy to a Battel, he had the Mortification to ſee them retire. This War was concluded by a Treaty of Peace, not the moſt advantageous to *England*: For, by the Advice of the Queen-Mother and of *Mortimer*, *Edward* quitted all his Pretenſions to *Scotland* for the Sum of 30000 Marks Sterling; and concluded the Marriage betwixt *Joan* his Siſter, and *David* Son to *Robert Bruce*.

Mortimer *made Earl of* March.

The Service which *Mortimer* pretended to have done by negotiating this Treaty, was rewarded with the Title of *Earl of March*, which the King gave him in full Parliament *.

Peace with Scotland.

THE † ſcandalous Peace made with *Scotland*, without any Neceſſity, added to the Tragical Death

* HE was made Earl of *March*, in the Parliament held at *Salisbury*, in *Auguſt* 1328.

† THE Parliament which concluded that diſhonourable Peace with the *Scots*, was held

Death of *Edward* II. and to the Inſolence of the new-made Earl, made an Impreſſion on the Populace, and much more on the great Men of the Kingdom. *Henry* Earl of *Lancaſter* was one of thoſe who were the moſt open in expreſſing their Diſguſt, which made the Queen and the Favourite take a Reſolution to deſtroy him: They thought that the Protection he gave to a Gentleman who had kill'd the Lord *Holland*, furniſh'd them with a good Pretence; for as he refus'd to deliver up that Gentleman to Juſtice, it was no difficult matter for them to perſuade the young King, that there was a Neceſſity of chaſtiſing him for ſuch a piece of Preſumption; and Troops were rais'd for that End. *Lancaſter* made Preparations on the other hand for his Defence, and brought over to his Intereſts *Edmund* Earl of *Kent*, the King's Uncle, with ſome other Lords; who being confederated, publiſh'd a Manifeſto at large, expoſing the Conduct of the Queen and her Mi-

A. 1328.

Engliſh *Lords provok'd to Arms by* Mortimer's *Inſolence.*

niſter.

at *Northampton*, in *March* 1328. when the King, by the Contrivance of his Mother, *Mortimer*, and Sir *James Douglas*, without the Privity of the Peers, ſurrender'd by Charter his Title and Sovereignty to the Kingdom of *Scotland*, reſtor'd many ancient Jewels and Monuments, among which one of great Value, call'd *The black Croſs of* Scotland; alſo many Deeds and other Inſtruments of their former Homage and Fealty, with the famous Evidence called the *Ragman Roll*, which was a Security and Memorial of the Fealty and Homage which the *Scots* ought to pay to the Kings of *England*; and beſides, no *Engliſhman* was permitted to hold any Lands in *Scotland*, unleſs he would dwell there.

SEE Mr. *Barnes*'s Hiſtory of this Reign; who ſays, that the Lady *Joan*, King *Edward*'s Siſter, was marry'd to *David Bruce* the young King of *Scotland*, about the middle of *July* 1328; and that the *Scots* themſelves afterwards, by way of Triumph, nicknam'd their Queen *Joan Make-Peace*; as if the Realm of *England* had made the Match out of Fear, to rid their Hands of the War.

Edw. III. niſter. The Grievances therein ſet forth, were ſo flagrant, that the Queen, for fear the whole Kingdom wou'd be about her Ears, conſented to an Accommodation, which was concluded by the Interceſſion of the Archbiſhop of *Canterbury*. Tho there is nothing of this in the *Fœdera*, yet it was neceſſary to ſpeak of it, to ſhew the Cauſe of that Hatred which *Iſabel* and the Earl of *March* had conceiv'd againſt the Earl of *Kent*; ſuch a Hatred as nothing could ſatisfy but that Earl's Death. For this End they hatch'd a deviliſh Conſpiracy, which it would be difficult to parallel. As *Edmund*, who was but 28 Years of Age, was of a frank generous Temper, and no doubt a little too credulous, he was eaſily perſuaded by the Queen his Siſter-in-law, that the Depoſition of his Brother was abſolutely neceſſary for the publick Good; and it was this that made him concur with her in the Execution of the Project already mention'd. But it was not long before his Eyes were open'd, when he ſaw that he had been engag'd in wrong Meaſures: His Expreſſions, and the Repentance which he diſcover'd, made it plainly appear, that he wiſh'd heartily the thing had never been done, and laid the Foundation of the Conſpiracy which his Enemies form'd againſt him. Certain Perſons were deputed to him, who made him believe that the King his Brother was ſtill alive in *Corſe-Caſtle*, and who engag'd him in Meaſures to reſcue him out of Captivity. It ſeems that *Edmund* was himſelf preſent at his Brother's Funeral; but the Strength of his Hopes that the pretended Secret now diſcover'd to him was true, made him eaſily believe that he had been deceiv'd by a Sham-Funeral: He fell therefore into the Trap that was laid for him, and went

Edmond *Earl of* Kent *trick'd out of his Life by a ſham Plot.*

went to *Corfe-Caſtle*; where being aſſur'd that his Brother was a Priſoner, he deſir'd leave to ſee him. The Governor, who was properly inſtructed, excus'd himſelf upon account of the Orders he had to let no body ſee him; which thorowly confirm'd the Earl in his Opinion: who finding therefore that he could not be admitted, gave the Governour a Letter for the King his Brother, in which he aſſur'd him that he wou'd take Meaſures to gain him his Liberty. This Letter was carry'd to the Queen-Mother, who ſhew'd it to her Son, and obtain'd his Conſent that his Uncle ſhould be taken into Cuſtody. It was at *Wincheſter*, where the Parliament was then aſſembled, that this unfortunate Nobleman was apprehended, condemn'd to loſe his Head, and accordingly executed *. *A.* 1328.

IN this Volume we have the following Acts, relating either to *Edward* II. or the Earl of *Kent*.

TWO Aſſignments to *Barclay* and *Maltravers*, for ſubſiſting the King's Father, then a Priſoner in *Berkley* Caſtle: One is dated at *Stamford*, *April* 24. 1327; the other at *Aldewerk* near *York*, the 5th of *July* following. *P.* 287, 294.

AN Order to take Bail offer'd by *William Aylmere*, charg'd with a Deſign of reſcuing *Edward* from Priſon: 'Tis ſign'd by the King at *York*, *Auguſt* 20. 1327. *P.* 304.

AN Order appointing anniverſary Prayers for the Soul of *Edward* II. 'Tis dated in *October* 1327, at a Place call'd *Crokeſden*, in the King's Journey from *Lincoln* to *Nottingham*. There's another for celebrating his Obſequies, dated at York the 29th of *February* following. *P.* 312, 337.

* AT *Wincheſter*, *March* 19. 1330. See *Barnes*'s Hiſtory.

Edw. III. A Letter to the Pope from King *Edward* III. dated at *Reading*, the 24th of *March* 1330; wherein he tells the Pope, that the Earl of *Kent* had endeavour'd to foment Troubles in the Kingdom, by ſpreading a Rumour that the late King was ſtill alive; and that the ſaid Earl was the more juſtly puniſh'd, becauſe he himſelf was preſent at his Brother's Funeral. Nevertheleſs, 'tis not impoſſible but this Circumſtance, whether true or falſe, was added on purpoſe to prejudice the Pope againſt the Earl; for thoſe who were then at the Helm were not very ſcrupulous of the Truth: Moreover, we find ſo much Diſſimulation in many Letters in this Collection, that 'tis not always ſafe to credit every Tittle.

P. 424.

P. 430. An Order from the King, dated at *Woodſtock*, the 13th of *April* 1330, for proclaiming the Death of the Earl of *Kent* throughout the Kingdom, and for taking up thoſe who ſpread a Report that *Edward* II. was ſtill alive.

P. 447. Another Order, dated at *Clyve* the 8th of *Auguſt* following, for apprehending *Rice ap Griffin*, a *Welchman*, who was an Accomplice of the Earl of *Kent*, and rais'd a Diſturbance in *Wales*.

Edward being as yet but young, left every thing entirely to his Mother and the Earl of *March*, in whoſe Favour he was ſtrangely prepoſſeſs'd; while they, on the other hand, made the moſt of his extraordinary Confidence, and borrow'd the King's Name to procure themſelves all manner of Advantages. *Iſabella* got a Grant under the King's Privy Seal, dated the 17th of *January* 1330, at *Oſeneye*, for 10000 Marks, part of the 30000 which were to be paid by the King of *Scotland*; and 'tis very probable, that the Earl of *March* finger'd the other

P. 410.

other 20000 Marks, as was afterwards charg'd upon him. *A.* 1330.

IT was by their Advice, that *Edward* was perſuaded, tho with a vaſt deal of Regret, to go over to *France*, to do Homage to *Philip de Valois*, whom he look'd upon as a Uſurper of his Eſtate, as we ſhall find hereafter. 'Tis very probable that he was inform'd, during this Voyage, of many Particulars, which began to give him ſome Suſpicion of his Mother's Conduct; for as ſoon as ever he was return'd, he wanted to have it fully explain'd to him. They who took care to inform him of it, remark'd thoſe Errors to him which the Queen and the Earl of *March* had committed, as well in the firſt Expedition againſt the *Scots*, which was attended with ill Succeſs, as in the ſcandalous Peace which they had caus'd him to patch up, without any Neceſſity, with *Robert Bruce*. He was inform'd of the Barbarity with which his Father was murder'd, and had the whole Conſpiracy unravell'd to him, by which his Uncle the Earl of *Kent* loſt his Head. His Friends fully convinc'd him of the Prejudice he had done himſelf, by going to perform Homage to *Philip de Valois*. They magnify'd the Wealth and Expences of the Earl of *March*, which were by far too great for a Subject. They inſinuated to him, that it was very apparent that the Queen Mother and her Favourite had a Deſign to keep him always in a State of Minority; and laſt of all, to fill up the Meaſure of his Indignation, they told him, that his Mother was with Child by the ſaid *Mortimer* *. Theſe Informations had ſuch an Effect upon his Mind, that he reſolv'd to ſhake off the Yoke of his Managers, and to puniſh them. For this end he

The King incens'd againſt Mortimer.

* MR. *Barnes* obſerves, however, that no Effect of ſuch Pregnancy appear'd afterwards.

went

Edw. III. went to *Nottingham*, where the Parliament was to meet, with a deſign there to put his Project in execution. He lodg'd in the Town with a ſmall Retinue, while the Queen his Mother, and the Earl of *March*, lay in the Caſtle, with a Guard of 180 Knights to attend them. It would have been difficult to have attack'd them with open force; ſo that *Edward* went another way to work: He gain'd the Governor, or Conſtable of the Caſtle, who introduc'd him in the dead of the Night, thro a ſubterranean Paſſage, and gave him an Opportunity to enter into his Mother's Apartment, attended by ſome reſolute Perſons, to whom he had communicated his Deſign. The Earl of *March* was ſeiz'd in the Queen's Antichamber, and carry'd off, notwithſtanding the Tears and Cries of the Queen, who begg'd her Son, without ceaſing, to ſpare *the Gallant Mortimer*. Two of his Knights, who offer'd to make Reſiſtance, were kill'd. This done, the Earl was carry'd out of the Caſtle, the ſame way that the King enter'd, which was afterwards call'd *Mortimer's Hole* *, and committed to the Tower of *London*. Next day *Edward* diſſolv'd the Parliament, and call'd a new one at *Weſtminſter*, wherein the King complain'd of the Queen's Male-Adminiſtration; and declar'd, that notwithſtanding his Minority, he would from this time forward govern by himſelf. Afterwards he caus'd Arti-

Mortimer *taken Priſoner.*

* Our Hiſtorian quotes *Drayton's Barons Wars*, to ſhew that this wonderful Paſſage was hewn and dug forth during the *Daniſh* Invaſions, by ſome of the *Saxon* Kings, for their further Security in caſe of a Siege. It ſeems that neither the Queen, *Mortimer*, nor any of their Attendants, knew of this Paſſage; a particular Deſcription of which, the Curious will find in *Barnes's* Hiſtory, *p.* 48.

cles

cles to be drawn up againſt the Earl of *March*, who, without being heard in his Defence †, becauſe his Crimes were ſo publickly notorious, was condemn'd to die the Death of Traitors, and ſuffer'd it accordingly, on the common Gallows at *Tyburn* *. Queen *Iſabel* was ſtripp'd of her Eſtate and Authority, and confin'd to the Caſtle of *Riſings* ††. *Mezeray*, and thoſe who have copy'd after him, were miſtaken when they ſaid that this Prince haſten'd his Mother's Death in this Caſtle, ſince it is certain that ſhe liv'd there 28 Years.

A. 1330.

Condemn'd and hang'd.

Queen Iſabel's *Confinement.*

A great Miſtake of Mezeray, *and other Hiſtorians.*

MANY are the Acts in this Volume relating to the Facts above-mention'd; the moſt material of which are,

A PROCLAMATION dated the 20th of *October* 1330, at *Nottingham*, containing the King's Reaſons for apprehending the Earl of *March*: He declar'd alſo in this Proclamation, that being inform'd that thoſe who had hitherto held the Reins of Government had been guilty of Male-Adminiſtration, he was reſolv'd to govern, himſelf, with the Advice of the great Men of the Realm.

P. 452. Edward's *Proclamation againſt* Mortimer.

ANOTHER Proclamation dated at *Woodſtock*, the third of *November* following, in which the King invites the Subjects to lay their Grievances before the Parliament, and complains bitterly of the laſt Aſſembly, ſaying, That the Members had been corrupted, and therefore

P. 453. *His Proclamation for a new Parliament.*

† MR. *Barnes* obſerves, that in this reſpect he had the ſame Treatment as he had ſhewn before to the two *Spenſers*, and to the Earl of *Kent* the King's Uncle.

* MOST of our Hiſtories ſay this Execution was on the 29th of *November* 1330; but Mr. *Barnes* proves that it was on the 26th, and that he was bury'd on the 29th, after he had hung two Days and two Nights by the King's ſpecial Command.

†† Mr. *Barnes* quotes *Holinſhed* to ſhew that this was a Caſtle near *London*.

Edw. III. refus'd to hear the Grievances of the People. From thence he took occaſion to exhort the Sheriffs to promote the Election of ſuch Members, in their reſpective Counties, as were truly concern'd for the Welfare of their Country.

Another Miſtake of Hiſtorians detected. P. 457.

THIS ſhews that *Edward* call'd a new Parliament, tho ſeveral Hiſtorians affirm that he only adjourn'd the old one from *Nottingham* to *Weſtminſter* *.

Proceedings againſt the Earl of Lancaſter, *&c. revers'd.*

AN Order, dated the 12th of *December* following at *Weſtminſter*, reverſing all Proceedings againſt *Henry* Earl of *Lancaſter*, for taking Arms againſt the Earl of *March*.

A Permiſſion to bury young Spenſer. *P.* 461.

A PERMISSION, dated at *Weſtminſter* the 15th of the ſame Month, to inter the Remains of young *Spenſer*, who was hang'd at *Hereford*.

King's Reſumption of all Grants. P. 476.

A RESUMPTION of all the Grants made ſince the King's Acceſſion to the Crown: 'Tis dated at *Croydon* the 5th of *March* 1331.

A Penſion ſettled on Sir John Nevil. *P.* 487.

AN Aſſignment of a Penſion to Sir *John Nevil* †, for having arreſted the Earl of *March*: 'Tis dated at *Havering Bower*, the 10th of *May* following.

A Pardon to William Montague. *P.* 506.

A PARDON granted to *William Montague* on account of two of *Mortimer*'s Knights, who were kill'd when that Earl was arreſted **: 'Tis dated at *Weſtminſter* the 10th of *January* 1332.

* EVEN the accurate Mr. *Barnes* has fallen into this Miſtake, *p.* 49.

† THIS was Sir *John Nevil* of *Herneby*; to whom, as *Barnes* ſays, the King granted 200 Marks in Tail ſpecial, and in his 15th Year he was Governor of *Newcaſtle* upon *Tine*, tho Mr. *Drayton* and other Hiſtorians have ventur'd to ſay, that he was kill'd in the Arreſt of *Mortimer*; and Mr. *Drayton* miſtakes him for *Mortimer*'s Friend; an Error for which Mr. *Barnes* excuſes him, becauſe he was a Poet.

** THESE Knights were Sir *Hugh Turplington* and Sir *Richard Monmouth*, according to the *Fœdera*; tho Mr. *Barnes*, quoting *Knighton*, calls the latter Sir *John Monmouth*.

GOUR-

Gournay, one of the Aſſaſſins of King *Edward* II. having been apprehended at *Burgos* in *Caſtille*, by the Diligence of *John Leynham*, Chamberlain to the King of *Caſtille*, *Edward* wrote ſeveral Letters about it, which we meet with in this Volume of the *Fœdera*, to the ſaid *John Leynham*, (on whom he ſettled a Penſion of 300 *l. Sterling*) to the King of *Caſtille*, and to the Echevins of *Burgos*. They are dated in *May* and *June* 1331, at *Havering Bower*, *St. Edmundsbury*, and *Norwich*. *A.* 1331. *Orders about* Gournay. *P.* 488 *to* 492.

An Order to bring *Gournay* to *Bayonne*, dated at *St. Edmundsbury* the 28th of *May* 1331. *P.* 491.

Another dated at *Waltham* the 10th of *February* 1332, directed to the Mayor, *&c.* of *Bayonne*, for delivering *Gournay* into the Hands of ſuch Perſons as the King ſhould ſend to bring him over Priſoner to *England*. *P.* 509.

'Tis plain that our Hiſtorians are miſtaken, who aſſert that *Gournay* was apprehended at *Marſeilles* *, ſince 'tis very manifeſt from the *Fœdera*, that it was done in *Spain*. The Ruffian had his Head cut off aboard the Ship that was carrying him to *England*, which was probably owing to the Intrigues of thoſe who were Accomplices in his Crime, that he might not diſcover who ſet him at work. *Another Miſtake of Hiſtorians about* Gournay.

An Aſſignment of the Revenues of the County of *Ponthieu* (in *France*) to the Queen-Mother, for her Subſiſtence, dated the 24th of *September* 1334, at *Weſtminſter*. *King* Edward's *Settlement on the Queen Mother.*

An Order to carry to the Treaſury 60,000 *l. Sterling*, which was found in *Wales*, being part *P.* 623. *P.* 697.

* Among others, we find this Error in *Daniel*'s Hiſtory of this Reign, and that it has eſcap'd the Correction of the learned Annotator.

Edw. III. of the Treaſure loſt by *Edward* II. 'Tis dated at *Guildford* the 20th of *April* 1336.

The following are ſome looſe Acts concerning Domeſtick Affairs.

Charters in favour of foreign Merchants. *P.* 361, 516, 574.

THERE's a Charter, dated at *York* the 8th of *Auguſt* 1328, confirming a former Charter in favour of foreign Merchants trading into *England*; and we find it further confirm'd by two other Acts of this King, *viz.* at *Stamford* the 13th of *April* 1332, and at *Knaresborough* the 16th of *Auguſt* 1333.

P. 344. THERE are two Letters from the King, relating to the Marriage of *John* of *Eltham*, his Brother, with *Mary* of *Biſcay*: one of them is dated at *Lincoln* the 28th of *March* 1328, and directed to the King of *Caſtille*; the other, which is the ſhorteſt, I inſert, to give the Reader an Idea of the Language and manner of Writing of that Age.

Le Roi, a noſtre Treſchere & Treſame, Marie, Dame de Biſcay, Salutz & bone affection.

Por ceo, que Parlaunce ad eſte faite devers Nous, de Mariage faire entre, noſtre treſame Frere Johan de Eltham, & la File de veſtre Fiuz, que Dieu aſſoille.

Et nous ſerioms bien del aſſent, que le Mariage, ſe preigne iſſuit, que ceo fuſt a pleiſaunce de vous, & de noſtre Treſcher Coſyn, li Rois d' Eſpaigne; car nous entendoms que ceo purroit eſtre a honur & profit de nous & de vous, & aſſeuraunce de nos amis celes parties.

Vous prioms & requiroms affectuouſement, que vous voillez au dit Mariage bonement aſſentir, & nous certifier de ceo, que vous eut vodriez faire, a plus en haſt que vous purriez.

Don a Nicole le 28 jour de Marcz.

i.e. THE

A. 1328.

i. e. THE King to our moſt dear and well-beloved *Mary*, Lady of *Biſcay*, Health and good Affection.

FORASMUCH as Propoſal has been made to us of a Marriage between our dearly beloved Brother *John* of *Eltham*, and the Daughter of your Son, whom God bleſs:

AND whereas we are very willing that the ſaid Marriage ſhould take effect, with the Approbation of your ſelf and our moſt dear Couſin the King of *Spain*; becauſe we are convinc'd that the ſame may be of Honour and Profit both to Us and You, and to the Encouragement of our Friends, Parties thereunto:

WE affectionately intreat and requeſt you, that you would pleaſe to give your hearty Conſent to the ſaid Marriage, and certify us of your Pleaſure therein with all the ſpeed that may be.

Dated at * Nicole, *the* 28*th of* March 1328.

AMONG the Acts in 1329, there is an Order dated the 9th of *May* at *Eltham*, to bring to the King, by fair means or by force, two Men who boaſted of their Art to make Silver; and it ſeems that the King intended to ſet them at work for himſelf. *An Order for apprehending two Alchymiſts. P.* 384.

A PENSION granted to *Thomas Priour*, for the News which he brought to the King of the Birth of *Edward* his Firſt-born Son: 'Tis dated at *Weſtminſter*, the 1ſt of *October* 1331. *Penſion ſettled on* T. Priour. *P.* 497.

A MARRIAGE Contract between *Eleanor* the King's Siſter, and *Reynold* Count of *Guelderland*, dated at *Weſtminſter* the 20th of *October*, 1332 †. *Marriage Treaty of the King's Siſter. P.* 512.

ED-

* *Lincoln.*

† This *Eleanor* was King *Edward*'s younger Siſter, who was about fourteen Years of

Edw. III.

EDWARD took occaſion from this Marriage, to deſire a Supply of his Subjects, which the Clergy refus'd him; and at laſt he was fain to make uſe of abſolute Power to exact it, with a Promiſe that it ſhould not be drawn into Conſequence. This appears by ſeveral of his Letters to the Clergy, and by his Order to the Lords of the Treaſury, dated at *Pontefract*, the 12th of *February*, 1333; where he mentions the Sums ſubſcrib'd by the Clergy towards the Expences of his Siſter's Marriage, and directs them to levy the ſaid Sums, and carry them into the Treaſury. See alſo the King's Letter to the Abbat of *St. Mary's* at *York*, dated at St. *Edmundsbury*, the 28th of *Auguſt* following.

King's Demand of Money towards the ſaid Marriage.

P. 543, *to* 547. *and* 575.

HERE we have the King's Approbation and Confirmation of the Grant of a Part of *Provence*, which was formerly given by *Eleanor*, Wife of *Henry* III. to *Thomas* and *Henry*, Sons of *Edmund* Earl of *Lancaſter*: The ſaid Approbation is dated at *Newbourgh*, the 16th of *June*, 1335.

P. 649.

THERE is alſo a Letter from *Edward*, dated at *York*, the 13th of *December* following, to the King of *Armenia*, wherein he promiſes him to go in Perſon and make War againſt the Infi-

His Letter to the King of Armenia, *p.* 679.

Age when marry'd; and this *Reynold*, or *Reginald*, Earl of *Gueldre*, was a great Lover of King *Edward* and the *Engliſh* Nation. Her Portion was 15000 *l.* which was no ſmall Sum in thoſe Days, when even the Marriages of the Daughters of *France* did not exceed 6000 Crowns ready Money. This Lady (who was the ſaid Earl's ſecond Wife) brought him two Sons, *Reginald* and *Edward*, both Dukes ſucceſſively after their Father: For when this King *Edward* came to be made Vicar of the Sacred Empire, he created this Earl *Reginald*, Duke of *Gueldre*; ſince which that Earldom became a Dukedom. *Barnes's* Hiſt. of *Edw.* III.

dels,

dels, as ſoon as his Affairs would permit him. This was putting the Day very far off, becauſe he then began his Preparations for a War againſt the King of *France*. *A.* 1331.

THO there was a great Trade for Wool in *England* in the Reign of *Edward* III. it does not appear that the *Engliſh* knew as yet how to manufacture it into Cloth; as may be inferr'd from a Protection granted by the King at *Lincoln*, the 23d of *July*, 1331, to *John Kempe* of *Flanders*, a Weaver, who was come over to *England* to exerciſe his Art and Myſtery, and to teach it to the *Engliſh*. *Woollen Manufacture.* *P.* 496.

AND we find the like Protection granted by the King at *Weſtminſter*, the 3d of *May*, 1337, to fifteen Weavers of *Zealand*, who came to ſettle in *England* for the ſame purpoſe. *P.* 751.

Affairs of Scotland.

THE thirteen Years Truce between *England* and *Scotland*, had been concluded about three Years when *Edward* III. came to the Crown. It was one of the firſt Cares of his Council to maintain this Truce, and, if poſſible, to change it to a laſting Peace. There are ſeveral Acts in the Beginning of this Reign, which ſhew that this was then the Diſpoſition of the Court of *England*. *Acts relating to the Truce with* Scotland.

THE firſt is an Order, dated at *Weſtminſter* the 15th of *February*, 1327, for the ſtrict Obſervation of the Peace with *Scotland*. *P.* 256.

THE ſecond is a full Power granted to certain Commiſſioners to treat of a final Peace with the *Scots*: 'Tis dated the 4th of *March* following, at *Weſtminſter*. *P.* 270.

Edw. III.

THE third is *Edward*'s Confirmation of the thirteen Years Truce. But *Robert* King of *Scotland* was otherwiſe inclin'd: He wanted to take an Advantage of *Edward*'s Minority; and therefore, without any colour of Pretence, he broke the Truce *. His Generals, *Murray* and *Douglas*, advanc'd to the Frontiers with an Army of 25000 Men, almoſt all Horſe, and committed ſome Ravages upon the Lands which the *Engliſh* ſtill poſſeſs'd in *Scotland*. This Invaſion engag'd the *Engliſh* to raiſe an Army of 60000 Men, including the 500 Men of Arms which *John* of *Hainault* brought from his own Country to *Edward*'s Aſſiſtance. As the King was on the Point of ſetting out from *York*, where he had aſſembled his Troops, a Quarrel happen'd betwixt the Forces of *Hainault*, and the Archers of the County of *Lincoln*, in which a great deal of Blood was ſpilt on both ſides †. No-

P. 271.

King of Scotland *breaks it.*

Quarrel in the Engliſh *Army.*

* About Eaſter 1327, *Robert Bruce* King of *Scotland* ſent a ſhort and briſk Defiance to King *Edward* and all his Realm, telling them, That he would ſhortly with his Power invade the Realm of *England* with Fire and Sword, and there do as he had done before in his Father's Reign, at the Battel of *Bannockbourn*. See *Barnes*'s Hiſtory.

† This Fray is particularly related by Mr. *Barnes*, who ſays, that *John* of *Hainault*, and his Foreign Auxiliaries, being very much favour'd by the young King and his Mother, becauſe they had formerly appear'd in Defence of 'em againſt the *Spenſers*, even when her own Brother the King of *France* had deſerted her Quarrel; the King and Queen-Mother made a magnificent Feaſt, on purpoſe to do Honour to the ſaid Foreigners; but that their Servants, by their Inſolence, ſo exaſperated the *Engliſh*, that near 3000 of the Archers gathering together, many of the *Hainaulders* were ſlain, and the reſt, with moſt of the Knights their Commanders, then at Court, forc'd to fly to their Lodgings in the Suburbs of *York*, where they fortify'd themſelves the beſt they cou'd. He ſays, that in the Tumult ſome part of the City was

Nothing but Time could put an End to this Quarrel; and in the mean while, the *Scots* paſs'd over the *Tine*, between *Carliſle* and *Newcaſtle*, and ravag'd the Northern Counties of *England*. *A.* 1327.

WHEN the King was at *Nottingham*, he iſſu'd an Order, dated the 29th of *April*, 1327, for raiſing Troops; which is intitled, *De Arraiatione facienda.* This barbarous Word is form'd out of the old *French* Word *Arrayer*, which ſignifies *to adorn, prepare*, or *put in Order*; in Latin, *inſtruere.* The *Engliſh* have appropriated this Word to ſuch Troops as they accoutre for War; and they call a Commiſſion for raiſing Soldiers, a *Commiſſion of Array*; and the Commiſſioners are call'd *Arrayers*. *King* Edward's *Commiſſion of Array.* *P.* 287.

THE Uproar being appeas'd, *Edward* march'd towards *Durham* in queſt of the *Scots*; but it was a long time before he cou'd hear any Tidings of 'em: which made him ſo uneaſy, that he promis'd a Penſion of 100 *l.* Sterling, and the Honour of Knighthood, to the Man that ſhould bring him in ſight of the Enemy. He was inform'd, not many Days after, that they were encamp'd but two Leagues from him, over againſt *Stanhope-Park*, on the other ſide of the River *Were.* He poſted thither with the Army immediately, on purpoſe to give them Battel; but they were ſo advantageouſly poſted, *P.* 296. *He offers a Reward to any that cou'd bring him in reach of the* Scots *Army.*

was fir'd; that 80 Archers, moſt of 'em *Lincolnſhire* Men, were kill'd that Day, which was *Trinity-Sunday*; and that at Night the Foreigners roſe privately, and ſlew about 300 of the Archers of *Lincolnſhire* and *Northamptonſhire*, for which 6000 Archers had combin'd and vow'd a deſperate Revenge, but that the King, to ſecure the Strangers from their Fury, ſet ſtrong Guards about them, and diſplac'd the Archers from their former Quarters, who by the King's Authority, and the earneſt endeavours of the great Men, who charitably took the Strangers part, were in ſome time paçify'd,

that

*Edw.*III. that he had no opportunity of attacking them: and the two Armies fac'd each other for a whole Fortnight, with only the River between them, without coming to a Battel. At laſt, the *Scots* retir'd in the Night-time, and by precipitant Marches return'd to their own Country, whither the *Engliſh* did not think fit to purſue them. Thus ended this firſt Expedition of *Edward*; the ill Succeſs of which was afterwards charg'd upon *Mortimer*, who was accus'd of having favour'd the Enemy's Retreat.

The Scots Army returns home.

THE Particulars which Hiſtorians relate of this Expedition are a little confus'd, but they may be explain'd by having regard to the Dates of the ſeveral Orders which *Edward* iſſu'd during the Campaign, and which are to be met with in this Volume of the *Fœdera*. It wou'd be too tedious to ſhew the Miſtakes which ſome modern Hiſtorians have committed in this Affair; therefore this Remark ſhall ſuffice, in order to direct the Curious who wou'd know more of the Matter, to conſult the Volume it ſelf.

The confus'd Accounts of this Expedition.

THE King's Order for ſettling a Penſion on *Thomas Rokesby*, for bringing him to the Sight of the Enemy, is dated at *Lincoln*, the 28th of *September*, 1327*.

A Penſion ſettled on Rokesby *for bringing the King's Army to the Sight of the* Scots.

QUEEN

* MR. *Barnes*, who ſays the King knighted *Rokesby* with his own Sword before the whole Army, gives us the remarkable Speech he made to the King, as follows.

'MAY it pleaſe your Majeſty, I have now brought certain Tidings of the *Scots* your Enemies: They are not above three Miles from hence, lodg'd ſtrongly on a great Hill in *Weredale* beyond the River *Were*, where they have been theſe eight Days expecting our coming. Dread Sir, What I ſay I'll maintain for Truth; for I ventur'd ſo near to take the better View of them, that falling into their Hands, I was carry'd before their Leaders, where being queſtion'd, I declar'd how

QUEEN *Iſabel* and *Mortimer*, who ſat at the Helm of Government in *England*, did not think a War for their Intereſt, and ſhew'd a very great Inclination for Peace. The King of *Scotland* finding them thus diſpos'd, laid hold of the Opportunity, and caus'd a Propoſal to be made to them of a firm and laſting Peace between both Nations, which was immediately accepted. This Treaty (*as has been partly obſerv'd already*) was altogether to the Advantage of *Scotland*; for by it *Edward* quitted his Right to the Sovereignty of that Kingdom, as well as all his other Pretenſions, and reſtor'd to *Robert* all the Deeds on which they were founded, with all the Jewels taken at *Edinburgh* by *Edward* I. his Grandfather. Thirty thouſand Marks, which *Robert* was to pay in three Years time, were reckon'd a valuable Conſideration for all theſe Reſtitutions; and the Peace was ſeal'd by the Marriage of *Joan*, *Edward*'s Siſter, with *David* Prince of *Scotland*, who was but ſeven Years of Age. Thus was *England* a Sufferer thro the Minority of its King, and the Male-Adminiſtration of thoſe who govern'd in his Name. In this Volume we have the authentic Act which *Edward* deliver'd as his Reſignation of all his Pretenſions upon *Scotland*. 'Tis dated at *York* the firſt of *March*, 1328.

A. 1328.

Scandalous Peace with Scotland.

King's Reſignation of his Superiority over Scotland. *P.* 337.

'how deſirous your Majeſty 'has been all along to find 'them out; but when I men-'tion'd the Eſtate your Ma-'jeſty had promis'd, beſides 'the Honour of Knighthood, 'as a Reward to him that 'ſhould firſt bring Tidings 'of them to your Majeſty, 'the Lords that command 'their Army having made 'me promiſe to diſcover 'where they were to your 'Majeſty, freely quitted me 'my Ranſom, and gave me 'full Liberty: For they ſaid, 'they were every whit as de-'ſirous to fight with you; and 'if it pleaſe your Majeſty, I 'ſhall ſhew you the Faces of 'them preſently.'

*Edw.*III. KING *Robert* died in 1329 (the 9th of *July*) and there is a Paſſport of King *Edward*, dated at *Gloceſter* the firſt of *September* following, which was granted to *James* Earl *Douglas*, who ſet out with his Heart for *Jeruſalem*.*

King Robert Bruce's *Death.* *P.* 400.

IN a very little time the Face of Affairs was chang'd, *Edward* became of Age, or at leaſt aſſum'd the Reins of Government; and *Scotland* in its Turn happen'd to be under a Minority, by the Death of *Robert Bruce*, who left his Son a Minor. The Fall of Queen *Iſabel*, and the Puniſhment of the Earl of *March*, gave the *Engliſh* Liberty to complain of the ſcandalous Peace which had been made with *Scotland*: And it was no difficult Task to perſuade young K. *Edward* that he was not oblig'd to obſerve a Treaty ſo diſadvantageous to *England*, and which had been made before he came of Age. He reſolv'd therefore to ſet it aſide, but was oblig'd to ſtay till he had made an end of ſome Affairs with *France*; ſo that he did not enter into Meaſures for the Execution of his Project till the Year 1331. He did not intend an open Rupture with *Scotland*, becauſe the *Scots* gave him no Cauſe for it; but was reſolv'd upon another Method to carry his Point, which was to excite Troubles in *Scotland*, that might furniſh him with the Pretext he wanted. For this End he ſent for *Edward Baliol*, the Son of *John Baliol*, whom *Edward* I. plac'd upon the Throne of *Scotland*, and afterwards depos'd, to come into *England*. It was now 32 Years ſince the *Baliol*

* THIS gallant Nobleman, whom the deceas'd King had conjur'd on his Death-bed to carry his Heart to the Holy Land, to aſſiſt the Chriſtians againſt the Infidels, was kill'd on his way to *Jeruſalem*, in a Battel againſt the *Moors* in *Spain*, in the Year 1330. For his Death and heroic Character, *vide Buchanan*.

Family

Family had renounc'd the Crown: *John* was dead, and his Son did not ſo much as once think of reviving his Pretenſions. Mean time, as he was neceſſary to King *Edward*, he careſs'd him to a very great degree, and made him believe that the Kingdom of *Scotland* properly belong'd to him: And to theſe Perſuaſions he added a poſitive Promiſe of Aſſiſtance to enable him to recover his Right. As Men are very apt to cloſe with what ſeems to tend to their Advantage, *Baliol* thought that *Edward* only acted out of pure good Will to him, and therefore embrac'd his Offer without Heſitation; whereas nothing was farther from *Edward's* Thoughts, whoſe only View was to make a Tool of him to ſerve his own Purpoſes. He left *Baliol* therefore to build his Caſtles in the Air, and engag'd him in the Undertaking, from which himſelf expected to reap all the Profit. *A.* 1331. *Conference betwixt King* Edward *and* Edward Baliol.

THIS Affair being thus ſettled, *Edward* took care to acquaint his Subjects privately, that they would do him a Pleaſure by aſſiſting *Baliol* in his Deſign to recover his Kingdom. This was a ſufficient Hint to engage ſeveral Perſons who had old Claims to Lands in *Scotland*, which they had obtain'd by the Bounty of *Edward* I. but loſt by the Revolution that happen'd in Affairs after the Coronation of *Robert Bruce*. They rais'd Troops therefore, and went and offer'd them to *Baliol*, who was reſolv'd to tranſport them by Sea to *Scotland*: Juſt as he was putting them aboard, *Edward* publiſh'd Proclamations, expreſly forbidding his Subjects to aſſiſt *Baliol*; but this was not done till it was too late to hinder it. We find this Proclamation dated the 9th of *Auguſt*, 1332, at *Wigmore*; with an Order of the ſame Day to all the Inhabitants of the Northern Countries, ſtrictly to obſerve the Peace with *P.* 529.

Edw. III. with *Scotland.* He had publiſh'd an Order of the like Nature the Year before, which was dated at *Windſor* the 16th of *February*, at the ſame time that *Baliol* was making his Preparations; but it ſeems to have been done only to lay the *Scots* aſleep. Upon theſe ſeveral Orders, and the Proclamation which I have juſt now mention'd, ſome Hiſtorians ground *Edward*'s Juſtification; and from hence they pretend to demonſtrate, that he had no hand in *Baliol*'s Undertaking. But beſides that it is not always ſafe to truſt to the Declarations of Princes, 'tis manifeſt that *Edward* was privy to *Baliol*'s Deſigns from the very Beginning; becauſe the latter did not come into *England* without two good Paſſports from the King, the one dated the 20th of *July*, 1330, at *Woodſtock*, and the other on the 10th of *October* following, at *Nottingham.* But that they had ſuch a Correſpondence and Concert, will appear yet farther by the Sequel.

P. 470.

A Miſtake of ſeveral Hiſtorians diſcover'd with reſpect to Edward *and* Baliol.

His Paſſports for Baliol, *p.* 445, 452.

EDWARD's Proclamation did not hinder *Baliol* from embarking his Troops to the Number of 2500 Men, with whom he ſail'd to *Kinghorn*, where he had ſcarce put them aſhore, but he was oblig'd to ſtand a Battel with the Lord *Seaton*, who was advanc'd with 10000 Men to hinder his landing. The Neceſſity which the *Engliſh* were under of getting the Victory, in an Enemy's Country, where they had no Place of Retreat, made them fight deſperately, ſo that they routed the *Scots* Army. This firſt Succeſs procur'd *Baliol* freſh Succours, which were brought to him by the antient Friends of his Family. With this Reinforcement he had the Courage to face the Earl of *Fife*, who follow'd at the Heels of the Lord *Seaton* with a powerful Army, which he beat as heartily as he

Battles betwixt Baliol *and Lord* Seaton, *the Earl of* Fife, *and* Nigel Bruce.

he did the former, and put to the Rout. Two Days after, he defeated another Army, commanded by *Nigel Bruce*, which was augmented by the broken Remains of the preceding; and finally, he routed the Earl of *Fife* a ſecond time, who advanc'd with a burning Thirſt of Revenge, but carry'd off a double Mortification. Four Battels thus gain'd in a few Days, put *Baliol* in a Condition to fear no conſiderable Oppoſition any longer: He advanc'd therefore farther into the Country, took *Perth*, or *St. Johnſtoun*, and *Edinburgh*; after which he went to *Scoon*, where he was crown'd, if not with the Conſent of all the *Scots*, yet at leaſt without Oppoſition *. *A.* 1331. Baliol's *Coronation.*

WHILE theſe Things were tranſacting in *Scotland*, *Edward* artfully made uſe of ſome Troubles that happen'd in *Ireland*, for a Pretence to arm: For this End he aſſembled his Parliament, and told them the Neceſſity of his carrying an Army into *Ireland*, to ſettle the Affairs of that Iſland. His Deſign was approv'd, and the Parliament granted him a conſiderable Subſidy. He rais'd Troops therefore, and ſent them towards the Weſt, as if he intended to embark them on that Coaſt: While they were on the March, he told the Parliament, That the Troubles in *Scotland* demanded his Preſence in the North, and that it was not ſafe to let the Frontiers lie naked, while their Neighbours were up in Arms. His Voyage to *Ireland* was broke off therefore, and his Troops deſign'd for that Iſland, had Orders to advance towards the Frontiers of *Scotland*. *Edward* began from that time to complain that the *Scots* had broke the Peace, Edward's *Contrivance to aſſiſt him.*

* MR. *Barnes*, who gives a particular Account of all theſe Battels, ſays the Coronation was on the 27th of *September*, 1331.

and

Edw. III. and pretended Advice from good Hands, that they had a Deſign to invade *England*. Tho this was a very ſhallow Complaint, conſidering the ſad State of the *Scots* Affairs at that Juncture, yet it was upon this Pretext that he rais'd freſh Troops, as appears by a Commiſſion which he iſſu'd for that purpoſe on the 7th of *October* 1332, from *Nottingham*.

P. 533.

K. David *retires to* France.

MEAN time King *David*, after all his Loſſes, was retir'd with his Wife into *France*, leaving a Regent in *Scotland*, who did all that Man could do to retrieve his Maſter's Affairs, which were at a very low Ebb. This Regent ſeeing *Edward* advancing to the Frontiers, ſent to know what was his Deſign. *Edward* amus'd his Envoys for awhile, by appointing Commiſſioners to treat with them, as appears by his Full Powers, dated at *York*, the 26th of *October* 1332; but to conclude any thing was far from his Intention: for at the ſame time, he made a Treaty with *Baliol*, whereby he own'd him for King of *Scotland*; on which Condition, the latter yielded him the Town and County of *Berwick*, and engag'd for himſelf and his Succeſſors, to perform Homage and Allegiance to the Kings of *England* for the Crown of *Scotland*. The Act is dated at *Roxburgh*, the 23d of *November* following; and plainly ſhews the ſecret Underſtanding there was betwixt *Edward* and *Baliol*. For the latter therein declar'd, That he had been crown'd by the Permiſſion of *Edward*, and by the Aſſiſtance of the good People of *England*. He added, moreover, in this Act of Ceſſion, that he had perform'd Homage and Allegiance for all *Scotland*, and for the Iſles thereon depending; and that he had taken the Oath of Fidelity to him, in quality of his Vaſſal. By another Act of the ſame

King Edward's *Commiſſion to treat with the Envoys of the Regent of* Scotland.

P. 535.

He makes a Treaty at the ſame time with Baliol, *who does him Homage for the Realm of* Scotland.

P. 537.

P. 539.

Date,

Date, *Baliol* engag'd to ſuccour *Edward* with all his Forces, as often as he ſhould be requir'd; and openly acknowledg'd, that he had been crown'd by his Aſſiſtance. It muſt be obſerv'd, that theſe Acts are dated the 23d of *November*; that is to ſay, three Months after *Baliol*'s Entrance into *Scotland*. Can any body imagine therefore, that *Baliol* could in ſo ſhort a ſpace of Time, and immediately after his Coronation, without any apparent Cauſe, take a Reſolution to become a Vaſſal to *Edward*, and to yield *Berwick* to him, if there had not been a previous Agreement for that purpoſe before he engag'd in the Undertaking? Vain therefore are the Efforts of certain Writers to juſtify *Edward* upon this Article, ſince it is manifeſt that he was the firſt Author of this Expedition. *A.* 1332.

YET, for all this, *Edward* continu'd to diſſemble the Part he was acting, and to amuſe the Regent of *Scotland* by Negotiations, as appears by another full Power which he granted to Commiſſioners to treat with him, dated at *York*, the 14th of *December* following. *Another of Edward's Commiſſions to treat with the Envoys of the Regent of Scotland, p.* 540.

BUT this Diſguiſe being ſeen thro by the Publick, the Pope wrote to him, reproaching him for his Injuſtice to *Scotland*: and here we have *Edward*'s Anſwer, dated the 15th of the ſame Month, at *York*; wherein he endeavours to juſtify himſelf from the Suggeſtions of his Enemies, and for this End makes uſe of the ſame Argument we have already mention'd, *viz.* by giving the Pope to underſtand, that juſt as he was ſetting out for *Ireland*, he was inform'd that the *Scots* had a Deſign to invade his Dominions, and that this was the only Reaſon which engag'd him to march towards the Frontiers. The Date of this Anſwer of *His Apology to the Pope. P.* 540.

Edw. III. his to the Pope, is three Weeks after he had receiv'd *Baliol*'s Homage.

It was not long neither before the Regent of *Scotland* ſuſpected *Edward*'s Deſigns, who he imagin'd would not have brought ſo powerful an Army upon the Frontiers, if he had not had ſome ill Intention. Therefore he ſpent the whole Winter in raiſing an Army in thoſe Counties which continu'd to declare for King *David*. This was enough to furniſh the King of *England* with Matter of Complaint that the *Scots* intended to break the Peace, and to invade *England*; which, ſays *Edward*, oblig'd him to be beforehand with them: and he himſelf actually began the Hoſtilities; and when the *Scots* prepar'd to defend themſelves, the Lord *William Douglas*, who had the Misfortune to be taken Priſoner by the *Engliſh*, was laid in Irons, as if he had been guilty of Rebellion or High-Treaſon.

His Apologies to the King of France *and the Earl of* Flanders *for the War with* Scotland. *P.* 556, 557.

The War being begun, *Edward* ſtill pretended that the *Scots* were the Aggreſſors, and endeavour'd to make the King of *France* and the Earl of *Flanders* believe as much, by two Letters; that to the Earl of *Flanders* being dated at *Newcaſtle* upon *Tine*, the 27th of *April*, 1333, and that to the King of *France* dated at *Belford*, the 7th of *May* following. This plainly ſhews what Precaution is neceſſary in the reading of the Letters of this and many other Princes, wherein we find the Truth ſo often diſguis'd.

He beſieges and takes Berwick. *P.* 564.

All the Motions of *Edward* ended at laſt in the Siege of *Berwick*, which he attack'd in *July* following, the 15th of which Month is the Date of its Capitulation. The Governour of it being inform'd that the Regent was advancing to raiſe the Siege, thought he ſhould run

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CONCLUDES the Hiſtory of the famous *Knights Templars*, and the Cataſtrophe of thoſe inſatiable Minions, *Old* and *Young Spenſer*, and the Queen's Gallant, Lord *Mortimer*.——It contains, beſides many other Particulars, the ſcandalous Conduct of King *Edward* the Second's Queen in *France*; her Invaſion of *England*; the Flight of her Huſband; his Reſignation of the Crown to his Son, and his barbarous Murder.——The Character, Acceſſion, and Marriage of King *Edward* III. his Encouragement to Weavers that came from *Flanders*, &c. to inſtruct the *Engliſh* in the Woollen Manufacture; his Expeditions againſt the *Scots*; his Treaty with *Baliol*, who does him Homage for the Crown of *Scotland*: And finally, his Diſpute with *Philip de Valois*, for the Regency and Crown of *France*, previous to his glorious Conqueſt of that Kingdom; which will be the Subject of the *Acta Regia* for *December*.

Biſhop *Nicholſon*'s Character of the *Fœdera*, *p.* 182. of his *Engliſh Hiſt. Libr.*

THIS great Work we have from T. Rymer, *Hiſtoriographer Royal, commanded and ſupported by her Majeſty; and it may juſtly be reckon'd one of the many Glories of her Reign. We have here not only finiſh'd Treaties, but Letters of great Princes, and their chief Miniſters of State; Inſtructions to Ambaſſadors, and other Miniſters reſiding in foreign Courts; Papal Bulls of all kinds,* Conge d' Eſlires, *and Writs of Reſtitution of Temporalities, Royal Mandates to the Clergy for Commemorative Maſſes, Faſts and Thankſgivings,* &c. *Sculptures of Hands and Seals, and Multitudes of other curious Pieces of Antiquity.*

run no hazard by engaging to ſurrender the Place, if it was not reliev'd before the 20th Inſtant. No ſooner was the Capitulation ſign'd, but *Edward* heard that the Enemy was juſt at hand, and therefore he went to receive them upon *Halydown* Hill; where he gain'd one of the moſt ſignal Victories that the *Engliſh* ever obtain'd over *Scotland*. And here we have the King's Orders, dated at *Berwick* upon *Tweed*, the 22d and 28th of *July* 1333, for Thankſgivings for the ſaid Victory, which was won, if I miſtake not, upon the 18th of that Month *. *Berwick* thereupon ſurrender'd; and the *Scots* being quite deſpirited by ſo many Loſſes, one upon the Neck of another, left *Edward* and *Baliol* to congratulate each other on their Succeſs; while a few, who ſtill retain'd their Fidelity to King *David*, lay conceal'd about the Bogs and Mountains, waiting for better Times.

A. 1333. *Victory at* Haly-down *Hill.* *King's Orders for Thankſgivings for it.* P. 568, 571.

IN *February*, 1334, *Baliol* held his firſt Parliament at *Edinburg*, and not at *Perth*, as many Hiſtorians have affirm'd †; for Mr. *Rymer* has given us the Acts of the ſaid Parliament, dated at *Edinburg*, in the Month aforeſaid. The Homage perform'd by *Baliol* was therein approv'd; *England*'s Sovereignty over *Scotland* re-eſtabliſh'd, and the Surrender of *Berwick* confirm'd. Moreover, all the Acts paſs'd in the Reign of *Robert Bruce*, were therein repeal'd, as having been made by illegal Authority.

A Miſtake of Hiſtorians about Baliol's *firſt Parliament.* P. 590, *to* 595.

ON the 12th of *June* following, *Baliol* thinking he had not done enough for King *Edward*, was deſirous to give him a farther Teſtimony

Baliol's *Grants to King* Edward.

* According to *Henry de Knighton*, and *Joſhua Barnes*, the Battel was fought on the 19th.

† *Walſingham* and *Barnes* are both guilty of this Error, whoſe Authority, no doubt, miſled many others.

Edw. III. of his Gratitude, by an Inſtrument dated at *Newcaſtle* upon *Tine*, whereby of his own accord and free Will, he gave him the Grant of *Edinburg*, *Roxburg*, *Jedworth*, *Selkirk*, and ſome other Towns, Caſtles, and Diſtricts, which lay convenient for *England*; of all which Places *Edward* immediately took Poſſeſſion, as we find by two Acts of his, dated at the ſame Place, on the 15th, which was but three Days after the Date of the Grant.

P. 614.

Edward *takes poſſeſſion of them.* *P. 616, 617.*

THE *Scots* finding themſelves thus betray'd by their new King, began to take new Meaſures, and reſolv'd to periſh, rather than be any longer in Subjection to the King of *England*. They perceiv'd, without much Difficulty, that *Edward* was in reality King of *Scotland* more than *Baliol*; and that the latter was but a Tool to ſerve the Purpoſes of the King of *England*. Therefore they ſecretly aſſembled ſome Troops, with which they went and ſurpriz'd *Baliol* when he thought nothing of the Matter; and by that unexpected Attack entirely defeated him, and oblig'd him to mount a Horſe without a Saddle, and fly to *Carliſle*, from whence he ſent his Protector an account of his Diſaſter.

Baliol *defeated merely by a Surprize.*

EDWARD was too deeply engag'd in his Affair, to leave his work unfiniſh'd and imperfect; therefore he march'd into *Scotland*, where he ravag'd ſeveral Counties, and then return'd into his Dominions. The *Scots* aſſembled again in the following Winter, in order to make Head againſt another Invaſion, which they apprehended from *Edward*; but the King of *France* procur'd a Truce for them to the end of *June*, which gave them ſome Reſpite. As ſoon as it was expir'd, *Edward* ravag'd *Scotland* a ſecond time, but could not bring the

King Edward *revenges it by an Excurſion into* Scotland, *and after a ſhort Truce ravages it again.*

Scots to a Battle, becauſe they were afraid to expoſe the few Troops they had left. Mean time the Earl of *Namur*, who ſerv'd *England*, was taken by the *Scots*, but ſet at Liberty by *Murray* the Regent of *Scotland*; who, to extend his Generoſity to him yet further, thought fit to accompany him to the Frontiers, and had the Misfortune to be taken Priſoner himſelf by the Gariſon of *Roxburg*, upon the 13th of *Auguſt*. After *Edward* had done all that he liſted in *Scotland*, at the Requeſt of the Pope and the King of *France*, he granted a Truce till the Feaſt of Eaſter, 1336; as appears by ſeveral Inſtruments of his, dated the 1ſt of *November*, 1335, at *Dodington*; the 8th *ditto* at *Alnwick*; the 16th and 23d at *Newcaſtle* upon *Tine*; and on the 22d and 26th of *January* following, at *Berwick* upon *Tweed*.

A. 1336.

Earl of Namur *taken by the* Scots, *and the Earl of* Murray *by the* Engliſh.

Edward *grants another ſhort Truce.* P. 674, 675, 676, 681, 684, 685.

DURING this Truce, King *David*, who was all the while a Refugee in *France*, had the Liberty of ſending Ambaſſadors into *England* to treat of an Accommodation, but it all came to nothing. Thoſe Negotiations are the Subject of ſeveral Acts in this Collection, which are of the leſs Importance, becauſe they were of no Effect. Tho *Baliol* ſtill bore the Title of King of *Scotland*, he had no more Authority there; for *Edward* was Lord of all, and he only allow'd *Baliol* five Marks a Day for his Subſiſtance.

Baliol *but a Cypher, and kept at ſhort Allowance by K.* Edward.

AS ſoon as the Truce was expir'd, *Edward* march'd a third time into *Scotland*, as appears by divers of his Orders, dated at *Perth*, or *St. Johnſtoun*, from the 3d of *July* to the 3d of *September*, 1336.

Edward's *3d March into* Scotland. P. 700, 708.

THE Remainder of the Year was ſpent in divers Negotiations in favour of the *Scots*, at the Sollicitation of the King of *France*, who

Edw. III. suffer'd *Edward* to trifle with him, as appears by ſeveral of *Edward*'s Acts, dated at *Perth*, as aforeſaid, in *July* and *Auguſt*. King *Edward* had left the Command of his Troops to the Earl of *Athol*, who had the ill Luck to be ſurpriz'd by the *Scots*, and kill'd in Battle *.

P. 704 *to* 707.

Orders for ſubſiſting the Earl of Murray, *a Priſoner in the Tower.* *P.* 729, 735.

AMONG the Acts of the Year 1337, there's an Order of the 24th of *January* for the Payment of twenty Shillings a Week for the Subſiſtence of the Earl of *Murray*, then Priſoner in the Tower; which Allowance we find augmented afterwards, by an Order of the 16th of *March* following, to twenty ſix Shillings and eight Pence *per* Week, becauſe of the Dearneſs of Proviſions.

Edward's *fourth Expedition to* Scotland.

AFTER many fruitleſs Negotiations which were carry'd on about the beginning of the Year 1337, *Edward* went again, in the Month of *June*, to *Scotland*; and in this fourth Expedition made cruel Ravage of that unhappy Kingdom: after which he return'd home to his own Dominions, becauſe he found no Enemies to oppoſe him. In the next Article we ſhall find the Motive which inclin'd that Prince to give the *Scots* ſome Reſpit, tho he would not have given over his Enterprize nevertheleſs, if he had not thought them ſufficiently reduc'd. Here end the Acts of this fourth Volume, which relate to *Scotland*.

IN our Account of the ſecond Volume of the *Fœdera*, the Foundation of the King of *England*'s Pretenſions to *Scotland* is ſtated at large,

* MR. *Barnes* ſays, this Battle was fought in the Fields of *Kilblain*, upon the laſt Day of *December* 1335; and that the Earl of *Athol*, who fell in it, *viz.* *David Strabolgi*, (and not *Cumin*, as *Hector Boetius*, and *Buchanan* erroneouſly call him) was alſo a Baron of *England*, where he had large Poſſeſſions,

and

and 'tis left to the Reader to judge whether *Edward* III. was juſtifiable in reviving them, after they had been ſo ſolemnly renounc'd, and whether the ways and means he made uſe of for this end were regular. They who have endeavour'd to juſtify him upon this Article, have rather given Proofs of their Prepoſſeſſion than of their Sincerity; the Prepoſſeſſion, I mean, of *England*'s Sovereignty over *Scotland*, which has been for a long time the favourite Paſſion of the *Engliſh* Politicians, and is ſo ſtill with ſome; for not many Years ago, Books were publiſh'd upon this very Subject with as much Earneſtneſs as if the Affair was a new Subject of Controverſy: but 'tis to be hop'd, that the Union of the two Kingdoms has now almoſt entirely quaſh'd this Contention, which has already been of too long ſtanding. *A.* 1337.

Article III. *Affairs of* France.

FEW People are Strangers to the great and famous Quarrel between *Edward* III. and *Philip* of *Valois*, concerning the Crown of *France*, and the War that broke out betwixt thoſe two Princes upon that occaſion. This fourth Volume contains only the Preparations for this bloody War; ſuch Preparations as laſted eight or nine Years before *Edward* declar'd actual War. Tho the Tranſactions during thoſe nine Years may ſeem of little Importance at firſt, yet ſeveral Inſtructions may be gather'd from the Acts which this Volume furniſhes for that *Period*, or rather *Parentheſis* of Time. They let us in a great meaſure into *Edward* the Third's Character, whoſe Enterprizes were attended with ſuch great and happy Succeſſes, that Hiſtorians have ſlightly paſs'd over the minuteſt of his Ac-

Edw. III.

King Edward's Character.

tions, in order to expatiate upon the most considerable. In the Narrative of his Victories they have taken vast Delight to extol his Valour, his Prudence, Generosity, and the Sublimity of his Genius; and every body must acknowledge that the Encomia they gave him were his due. But all this is not sufficient to make up the complete Character of this Prince; which, to be perfectly acquainted with, the Reader should know his Suppleness in Negotiations, and some other Circumstances attending his Actions of a lower Class; which shew that his Virtue was not of the most rigid kind, or at least that he was convinc'd that Dissimulation was not incompatible with the Virtues of a great King. This was a Fault which he was guilty of in common with many great Princes, who were as careless as he of the Reputation they left to Posterity; tho such a Care or Regard ought to be as great a Constraint and Check to them, as the Fear of the Laws is to private Persons. We have seen a remarkable Instance of this Insincerity in *Edward*, in the Designs which he form'd against *Scotland*; and the remaining Part of this Volume furnishes us with some other Proofs of it in his Conduct to *Philip de Valois*, before he formally enter'd upon that War, which he had long been contriving against him.

As soon as *Edward* was seated on the Throne, the Queen his Mother, and *Mortimer*, who govern'd all Affairs, and as much dreaded a War with *France* as with *Scotland*, consulted how to put an end to all the Differences which *England* had with *France*. The last Treaty which *Isabel* concluded at *Paris* had left some things undetermin'd, which were capable of producing Quarrels between the two Crowns, and which it was therefore necessary to prevent, especially during

during *Edward*'s Minority. Accordingly Ambaſſadors were ſent to *France* about a Month after the King's Coronation, in order to ſettle all the Matters in diſpute. Their full Powers are dated at *Weſtminſter* the 22d of *February* 1327, and they concluded a Treaty the 31ſt of *March* following, at *Paris*; by which it was ſtipulated, among other things, that *Edward* ſhould pay *Charles* the Fair 50,000 Marks *Sterling*, for the Charges of the preceding War, and demoliſh the Caſtles of the condemn'd Lords of *Gaſcoigne*, who were moreover pardon'd as to Life and Member, provided that they obey'd the Ban, *i. e.* ſubmitted to Baniſhment. Tho *Edward* did not much mind the Execution of this Treaty, yet the two Kings liv'd in Peace all the reſt of this Year. *A.* 1327.

Ambaſſadors ſent to France, *P.* 264, 267.

Treaty with Charles the Fair *of* France. *P.* 279.

ABOUT the beginning of 1328, a freſh Quarrel broke out between the two Crowns, of much greater Importance than that which was lately accommodated. *Charles the Fair* happen'd to die on the firſt of *February*, without Male-Iſſue; but *Blanche*, his Queen, was ſeven Months gone with Child. It was given out, that before his Death he nominated his Couſin-German, *Philip de Valois*, to be Regent till the Queen was brought to bed. On the other hand, *Edward* demanded the Regency, as the neareſt Relation of the deceas'd King, to whom he was Nephew; whereas *Philip*, as has been ſaid, was no more than Couſin-German. This was a Queſtion which the States of the Kingdom were aſſembled to decide. *Philip* founded his Plea upon the *Salic* Law; which, ſaid he, excluded all Women and their Deſcendants from the Crown, and by conſequence from the Regency. *Edward* argu'd on the other hand, that the *Salic* Law only excluded Women from the Crown on account

A freſh Quarrel breaks out between the two Nations, about the Regency of France.

Edw. III. account of their Sex, and not the Male-Iſſue deſcended from ſuch Women, becauſe they had not that Imbecillity of Sex. The States however adjudg'd the Regency to *Philip de Valois*, during the Queen's Pregnancy; who being brought to bed of a Daughter on the firſt of *April* that ſame Year, *Philip de Valois* was own'd King of *France*, and crown'd the 28th of *May* following.

BEFORE we proceed further, 'tis neceſſary to obſerve, that the Subject in Debate has been attended with ſome Difficulties which were never fully clear'd up, and which ſome Acts in this Volume may help to elucidate or reſolve. The firſt Difficulty is to know whether *Edward* ſent Ambaſſadors into *France* to demand the Regency immediately after the Death of *Charles the Fair*. 2. Whether the States of *France* made two Decrees, one for aſſigning the Regency to *Philip*, another for adjudging the Crown to him. 3. Whether *Edward*'s Ambaſſadors demanded the Crown for their Maſter, after Queen *Blanche*'s Delivery; whether they were heard; and whether the States determin'd for *Philip*, after Conſideration of the Arguments brought by both Claimants. 4. It will be neceſſary to examine where the Knot of the Queſtion between the two Claimants chiefly lay; a Diſpute which the *French* Hiſtorians ſeem to have hurry'd over in too general a manner, and with very great Confuſion, as if they were afraid to loſe ground by a cloſe Diſcuſſion of Particulars. I hope therefore it will not be unacceptable if I make a ſhort Pauſe upon each of the ſeveral Queſtions, becauſe the great Conſequences with which this famous Proceſs was attended, render this Subject one of the moſt con-

conſiderable Articles in the Hiſtories of *France* and *England*. *A.*1328.

Diſpute betwixt Edward *and* Philip de Valois *about the Regency of* France.

1. ALL the *French* Hiſtorians unanimouſly affirm, that *Edward* ſent Ambaſſadors to *France* to demand the Regency; and they mention the very Speech which they made to the States of that Kingdom, with their very Allegations, and the Anſwer return'd to them by *Robert* of *Artois*, who was then a great Stickler for *Philip*. But among all the *Engliſh* Hiſtorians, I know not one who mentions this Embaſſy: And in all the Acts of this fourth Volume, which contains a multitude of others that are of leſs Importance, there's not a ſingle Sentence to be found which gives room to believe that *Edward* ſent any Ambaſſadors upon this Errand. 'Tis likewiſe to be ſuppos'd, that Queen *Iſabel* and the Earl of *March*, who manag'd all the Affairs of the Realm, would not have offer'd at any ſuch thing, for fear of engaging themſelves in a War with *France*, ſince the ſaid Queen and Earl, for the ſake of avoiding a War with *Scotland*, had preſum'd viſibly to betray the Intereſts of their Pupil. Theſe Reaſons make it ſhrewdly ſuſpicious, that the Speeches of the *Engliſh* Ambaſſadors, and of *Robert* of *Artois*, were invented by *Paul Emilius*, who publiſh'd them, or by ſome other Hiſtorian. Nevertheleſs this is but a negative Proof, which cannot entirely be depended on, ſince all the *French* Hiſtorians agree in the contrary. But be it as it will, whether *Edward* did or did not ſend Ambaſſadors to demand the Regency, 'tis certain that he look'd upon the States Determination in favour of *Philip de Valois*, as a piece of Injuſtice done to himſelf, being very ſenſible of the Advantage which his Competitor might

Edw. III. might reap from the Regency, in caſe the Queen Dowager ſhould be brought to bed of a Daughter. This appears from the Letters which he wrote during the Interval between the Decree made about the Regency and the Queen's Lying-in, who was not brought to Bed till the Month of *April*. Theſe Letters, directed to ſeveral Noblemen of *Guyenne*, to the Univerſities, Biſhops, Priors, Abbats, Knights, and Gentlemen of eighteen Towns of *Navarre*, to twenty nine Noblemen of *Foix* and *Languedoc*, and to nineteen Towns of this latter Province, imported that he intended to recover his Inheritance by one means or another, when he ſaw it a proper Time. One would be apt to think, that by his Inheritance he meant *Guyenne*, if in ſome of thoſe Letters he did not plainly talk of the Inheritance of his Mother: This ſhews that he ſpoke of the Kingdom of *France*, as well as of *Navarre*, which was in the ſame Caſe, and not of *Guyenne*, to which his Mother had no Right. Theſe Letters are dated at *Lincoln*, the 28th of *March*, 1328, before the Queen's Lying-in.

King Edward's *Letters to the Nobility*, &c. *in* France.

P. 344, *to* 347.

II. The ſecond Difficulty to be ſolv'd, is to know whether the States that had given the Regency to *Philip de Valois*, immediately after the Death of *Charles* the Fair, did by a ſecond Sentence decree the Crown to him likewiſe, after the Queen Dowager's Delivery. Here we find a mighty Confuſion in the *French* Hiſtorians, who jumble theſe two Queſtions together, which they ought by all means to have ſtated ſeparately. They ſay indeed, that the States ſettled the Regency on *Philip*; and they affirm likewiſe, that the States ſet the Crown upon his Head: but when they talk of the

Confuſion in the French *Writers.*

the latter Decree, it looks as if they meant the former, relating to the Regency, becauſe they there bring in the *Engliſh* Ambaſſadors, and put the very ſame Speech into their Mouths which they made when they demanded the Regency for their Maſter; and they make *Robert* of *Artois* return juſt the ſame Anſwer. 'Tis impoſſible that the ſame Things ſhould happen on thoſe two different Occaſions: The Reaſon is plain, for ſuppoſing that the Ambaſſadors of *England* were preſent at the firſt Decree of the States about the Regency, which I am loth either to affirm or deny, for the Reaſons mention'd in the foregoing Article; it is however certain, that they were not preſent when the Crown was decreed to *Philip*; and that they did not demand it, becauſe they had not yet receiv'd Orders about it. What I have now mention'd, is evident from two deciſive Pieces in this Collection. The firſt is a full Power granted by *Edward* to his Ambaſſadors, to demand the Crown of *France* in his Name; which full Power is dated at *Northampton*, the 16th of *May*, 1328, only twelve Days before *Philip*'s Coronation. *A.* 1328.

King Edward's *Demand of the Crown of* France, *p.* 354.

Now that the *Engliſh* Ambaſſadors could get to *Paris*, or ſuppoſing them there already, that they could receive their Commiſſion, and execute it; that a Queſtion ſo important ſhould be examin'd and determin'd in an Aſſembly of the States, where, according to *Mezeray*, Parties ran very high; and finally, that the Preparations for the Coronation, and the Ceremony it ſelf, ſhould be perform'd in the ſpace of twelve Days; that ſo ſhort a ſpace of Time, I ſay, ſhould be ſufficient for all thoſe Things, is a Matter almoſt paſt belief. The ſecond Piece is a ſort of Manifeſto by King *Edward*,

Edw. III. which we meet with in the 5th Volume of the *Fœdera*: In the ſaid Manifeſto, *Edward* expreſly complains, that his Ambaſſadors had not been heard, and that they had even run the hazard of their Lives. All this gives room to believe, that there was no ſolemn Sentence given touching the Crown, and that when *Philip de Valois* had obtain'd the Regency, he never troubled his Head about a ſecond Deciſion, but caus'd himſelf to be crown'd; imagining that the ſame Reaſons which made him a Regent, conſtituted him King. It muſt be own'd, at leaſt, that if there was a ſecond Decree, it was made with very great Precipitation, and without the Intervention of the *Engliſh* Ambaſſadors.

III. The third Difficulty is explain'd under the ſecond Head, and therefore it is not neceſſary to inſiſt on it.

IV. Tho *Edward* ſeem'd tacitly to acquieſce in the Decree of the States, yet he never abandon'd his Deſign to aſſert his Right when a fair Opportunity ſhould offer; but his Age, the Subjection in which he was kept by his Mother and *Mortimer*, and the War with *Scotland* which enſu'd, hinder'd him from openly diſcovering his Deſign, till the Year 1337, as we ſhall ſhew preſently. But as this Affair was attended with terrible Conſequences, and was, as it were, the Beginning and Cauſe of the moſt remarkable Tranſactions mention'd in the Hiſtories of *France* and *England* for above a Century, it is neceſſary to explain the fourth Difficulty, which is to know exactly upon what Plea *Edward* grounded himſelf, when he undertook to wreſt the Crown of *France* out of the

the Hands of *Philip*. It ſeems as if the main View of the *French* Authors, was to render this Matter obſcure, by treating it in a general way, and inſinuating that *Edward* diſputed with the *French* the Authority of their *Salic Law*, of which they had been in Poſſeſſion near a thouſand Years: By this means, if I may venture to ſay it, they have miſled their Readers, and prejudic'd a multitude of People againſt *Edward*'s Pretenſions. *A.* 1328.

A juſt Reflection on the French *Authors.*

THE *Salic* Law, according to which the *French* exclude Women from the Crown, is only founded upon Tradition; for never was any Original, or authentick Copy of it produc'd. The Author of it and its Vouchers are alike unknown; for they only quote an old Chronicle, without giving us either its Date or Author, which aſcribes the Glory of it to *Pharamond*, the firſt King known among the *French*. From *Pharamond* to the Death of *Lewis Huttin*, that is to ſay, for almoſt 900 Years, it was not put in practice, at leaſt we know of no publick Act, or any Fact related in ancient Hiſtories, to prove beyond diſpute that the *French* govern'd themſelves by this Law in the Diſpoſal of their Crown. This will no doubt be thought very ſtrange, by thoſe who are already prepoſſeſt in its favour; therefore 'tis neceſſary to enter into a ſhort Detail upon this Subject, and briefly to run over the three Races or Families of the *French* Monarchs. *Salic Law.*

WHILE the Family of *Meroveus* was upon the Throne, there are but three Inſtances that can be produc'd to prove the Practice of this Law; and all three too weak to ſupport the Inferences which ſome would fain deduce from them. The firſt is taken from the Settlement which was made of the Crown after the Death *The* Merovingian *Race of* France.

Edw. III. of *Childebert* King of *Paris*, whoſe two Daughters were depriv'd of their Father's Succeſſion. See what *Mezeray* ſays upon this Subject, in his Abridgment. *Their Uncle* Clotaire, *either in hatred of their Father, or for fear leſt they ſhould pretend to the Succeſſion, detain'd them in Priſon till he was ſure of the Kingdom. This is the firſt Inſtance of the* Salic *Law in favour of the Males.* Is it poſſible to bring a more ſilly Allegation than that to prove the Authority of this Law, ſince it manifeſtly diſcovers that it was Force only which depriv'd thoſe Daughters of *Childebert* of their Father's Inheritance! The ſecond Inſtance may be fetch'd from the Hiſtory of the Succeſſion after the Death of *Cherebert* King of *Paris*. This Prince had left three Daughters, of which the two eldeſt were Baſtards and Nuns. *Bertha*, who was the youngeſt, and was afterwards the Wife of *Ethelbert* King of *Kent* in *England*, was hinder'd from ſucceeding her Father, by her three Uncles, *Gontran*, *Sigebert* and *Chilperic*: But this was likewiſe by Force, and not by virtue of the *Salic* Law, of which no Hiſtory makes mention in this Place. In order to prove that this Succeſſion was by virtue of the *Salic* Law, the ſaid Law ſhould either be produc'd in due Form, or at leaſt it ſhould be prov'd that it had been put in Practice before: But the Inſtance I gave juſt now is the only one that precedes this; and, as I have before ſhewn that to be inſufficient, there's no making uſe of it upon this Occaſion. The third Inſtance is taken from the Succeſſion of *Gontran*, which his Brothers ſhar'd betwixt them, becauſe he had left only one Daughter: But this Daughter was a Nun, and by conſequence not capable of ſucceeding. Beſides, Hiſtory ſays no where, that *Gontran*'s Brothers ſucceeded to him by virtue of

of the *Salic* Law, but only that they ſhar'd the Succeſſion; which they were like enough to do, as well by Force as by legal Right; the rather, becauſe 'tis well known that the *French* Princes were not over ſcrupulous at that time. All who underſtand any thing of the Hiſtory of *France*, know full well that in thoſe Days Force had a greater Share than the Laws, in the Diſtribution of the Kingdoms into which that Monarchy was divided. Towards the Concluſion of this Race, the Mayors of the *Palace* took upon them to place ſuch Princes of the Royal Family upon the Throne as they thought fit, without troubling themſelves with the Laws of the Country, Laws which are moreover very much unknown to us. *A.* 1328.

The Carlovingian Race.

IN the *Carlovingian* Race, which ſucceeded next to the Throne, we don't find that the Daughters were depriv'd of the Crown by virtue of the *Salic* Law; nor am I certain that there was ever any occaſion to put it in Execution. Be this as it will, we learn on the contrary, that, towards the end of this Race, the Deſcendants of *Charlemagne*, by the Female ſide, diſmember'd that potent Monarchy, as *Mezeray* ſomewhere obſerves; and all the while it does not appear that the *Salic* Law was ſo much as once oppos'd to their Pretenſions.

The Capetian Race.

AS to the Third, namely the *Capetian* Race, 'tis certain that there was no occaſion to put that pretended Law in Execution for above 300 Years: And if any ſhould offer to object that never any Women ſucceeded to the Crown from the beginning of the Monarchy, that's ſaying nothing to the purpoſe; for by the ſame Reaſon it may be prov'd, that there's a Law which excludes from the Crown thoſe that are born blind, becauſe ſince *Pharamond* no one that was born blind ever aſcended the Throne. To

Edw. III this we may add, that if the *Salic* Law had been eſtabliſh'd and own'd in *France*, *Hugh Capet*, who diſtributed among the Grandees of his Realm thoſe Lands, of which Dutchies, Earldoms, and Lordſhips were afterwards form'd, would not have fail'd to ſubject thoſe Lands to that ſame Law; becauſe no body could have taken it ill, if he had ſubjected the Parts to the ſame Law to which the Whole was ſubject. Nevertheleſs he did not do it, for on the contrary, 'tis certain that the great Fiefs belonging to the Crown deſcended to the Females, as is poſitively affirm'd both by *Paſquier* and *Mezeray*. But I do not pretend by this to combat the Right of the Males as for what relates to the Time preſent; the States of the Realm having thus eſtabliſh'd it, being a ſufficient Conſideration to put it out of all manner of Diſpute: Neither do I propoſe to treat of any thing but what paſs'd down to the firſt Deciſion of the States of the Realm, made after the Death of *Lewis Huttin*; which was not many Years before the Proceſs now in queſtion. To this Inquiry into the *Salic* Law in general, it is neceſſary to add another for the ſake of particular Caſes which have reſpect to that Law, by ſhewing what regard was had to it from the Death of *Lewis Huttin*, to that of *Charles the Fair*.

A farther Inquiry into the Salic *Law.*

Lewis Huttin, who dy'd in 1316, only left one Daughter nam'd *Joan*; his Queen Dowager being then with Child, the States choſe to ſtay till ſhe was deliver'd before they diſpos'd of the Crown: For if ſhe had been brought to bed of a Son, this Son muſt have ſucceeded the Father; not by virtue of the *Salic* Law, but by virtue of a Law common to all States where the Males are prefer'd before the Females in the ſame degree

gree of Kindred. Till the ſaid Queen was brought to Bed, *Philip*, Brother to the deceas'd King, was declar'd Regent; an Honour which young *Joan* his Niece was not in a Condition to diſpute with him, becauſe ſhe her ſelf was under the neceſſity of having a Guardian. But *Mezeray* obſerves, that the Duke of *Burgundy*, *Joan*'s Uncle by the Mother's ſide, made Preparation to aſſert his Niece's Right in caſe the Queen Dowager miſcarry'd, or was deliver'd of a Daughter. Mean time the Queen was brought to Bed of a Son nam'd *John*, who was immediately recogniz'd for King, but did not live above eight Days; whereupon a great Quarrel aroſe about the Succeſſion. *Charles* Count *de Valois*, Uncle to the deceaſed King, and the Duke of *Burgundy*, declared openly for *Joan* againſt her Uncle *Philip*; in which they both ſet up againſt their own Intereſts, becauſe as they were Princes of the Blood, the *Salic* Law was advantageous to their Families. This ſhews that the ſaid Law was not yet firmly eſtabliſh'd, becauſe the firſt Princes of the Blood, and the chief Peers of the Realm, made no Scruple to maintain a Right which was directly againſt it. Be that as it will, the States decided in Favour of *Philip*, who was ſurnam'd *the Long*, and was the fifth King of *France* of that Name. This now was the firſt clear, exact and undiſputed Deciſion that the States of *France* ever made in Favour of the *Salic* Law, which was 900 Years after the Foundation of the *French* Monarchy. *Philip the Long* dying after a ſhort Reign, and leaving only three Daughters, his Brother *Charles the Fair* ſucceeded him without Oppoſition, to the Prejudice of his Nieces. This again was a ſecond inconteſted Deciſion in Favour of the Males. Laſtly, after the Death of *Charles the Fair*, who *A.* 1316

Edw. III left his Queen alſo with Child, the Diſpute now in queſtion aroſe between *Edward* III. and *Philip de Valois* for the Regency, or rather for the Crown of *France*. Thus have I given you the moſt material Paſſages, with reſpect to the *Salic* Law, from the very Foundation of the *French* Monarchy.

A State of the Queſtion between Edward *and* Philip de Valois.

Now, in order to give a true State of the Controverſy between *Edward* and *Philip de Valois*, it muſt be conſider'd that they both laid down the *Salic* Law for the Baſis of their Pretenſions. The only difference between them was, that *Philip* would have it to extend to the Deſcendants of the Females; whereas *Edward* inſiſted, that it ought to extend only to the Females, becauſe of the Imbecility of the Sex; and not to their Male-Deſcendants, who had not that Incapacity. 'Tis therefore plain, that thoſe who have aſſerted that *Edward* directly oppugned the *Salic* Law, have not ſtated the Queſtion as it ought to be; for *Edward* was too wiſe a Prince to reject a Law which was the only Baſis of his Right.

An Overſight of ſome Hiſtorians detected.

For without the *Salic* Law what Right had *Charles the Fair* to the Crown, when his elder Brother had left three Daughters? And if *Charles* had not had a Right to the Crown, how could his Siſter *Iſabel*, who was *Edward*'s Mother, come by any Right to it? Beſides, if the *Salic* Law had not taken Place, *Edward* himſelf would have had no Right to the Crown; becauſe the Daughters of *Philip the Long*, the Daughters of *Charles the Fair*, and his own Mother, who was ſtill alive, would have come in before him. Therefore he was far from diſputing the Authority of this Law, which, whether true or not, was ſo much for his Advantage; but he maintain'd that it extended to the Females only, and

not to their Deſcendants: From whence he infer'd, that as he was the neareſt Male Heir to the deceaſed King, the Crown devolv'd to him by Right of Affinity; and not to *Philip de Valois*, who was not ſo near akin by one Degree. *Philip* on his part maintain'd, that the Law excluded not only the Females, but their Deſcendants; and this was properly the very Queſtion now to be decided by the States of the Realm. In order to form a Judgment of this Proceſs by the ordinary Rules of Juſtice, it were neceſſary to have recourſe to the Law it ſelf, or to Precedents; but neither the one nor the other is to be found. The *Salic* Law was no where in being, and in all the Hiſtory of *France* there was not a ſingle Inſtance to be met with that match'd the preſent Caſe: For the two foregoing Deciſions of the States, with reſpect to *Philip the Long* and *Charles the Fair*, and which at the ſame time were the only ones to be met with in the Hiſtory of *France*, did in no Senſe come up to it: 'Tis true, they eſtabliſh'd the Authority of the *Salic* Law, but they had no View to the Excluſion of the Deſcendants of Females, the only Point in controverſy. This, by the way, confirms me in my Opinion, that the Harangues inſerted by *Paul Emilius*, I mean the Speech of the *Engliſh* Ambaſſadors, and the Anſwer of *Robert* of *Artois*, are ſpurious; becauſe neither the one nor the other enters into the Knot of the Queſtion. If it was a difficult Matter to prove the Exiſtence of the *Salic* Law, as I have already demonſtrated, it was no leſs difficult to explain it, for want of conſidering its Terms and Circumſtances. Nevertheleſs there was a neceſſity of giving Judgment one way or another; and the States decided the Matter in favour of *Philip de Valois*, to which they were determin'd probably

A. 1328.

Edw. III. probably by four Reaſons. 1. That *Iſabel* could not convey a Right to her Son, which ſhe had not her ſelf. 2. That *Edward* was a Foreigner, born out of the Realm. 3. That he was ſtill a Minor: And, 4. That they were afraid of a Civil War if they ſhould award the Crown to that Prince; and that if a War ſhould be the Conſequence, they had rather expoſe themſelves to the Hazards of a Foreign one. But theſe are Reaſons which this is not a Place to inquire into. 'Tis ſufficient to obſerve, that the Deciſion of the States was new and unprecedented; that it was not taken from the Law it ſelf, and that it was purely grounded upon Reaſons of State. From hence, therefore, I cannot help concluding, that *Edward*'s Pretenſions were not ſo extravagant as the *French* Authors would have them commonly underſtood. A grand Deciſion, which is ſupported neither by the Law it ſelf, nor any preceding Decree, is neceſſarily ſubjected, which way ſoever we turn it, to the Reproaches of the Party who loſes the Cauſe, without any Reflection upon the weakneſs of the Reaſons urg'd by the Complainant. *Edward* therefore might complain, that the Affair had been wrong decided, as to the Matter of it, and that the Award was null and void as to the Form of it, becauſe it had been paſs'd with too much Precipitancy; and particularly becauſe his Ambaſſadors had been deny'd a Hearing. And if to all this we add, that 'tis extremely probable there was no other Decree of the States than that which awarded the Regency to *Philip*, it will naturally be ſuppos'd that *Edward* did not complain without Reaſon; and it was this very Conſideration that made him take a Reſolution to maintain his Right by Force of Arms. I hope to have Pardon for this Digreſſion, tho 'tis not borrow'd

Deciſion of the States of France *in favour of* Philip de Valois *conſider'd.*

A Vindication of Edward's *Pretenſions.*

borrow'd from the Acts of the *Fœdera*, where nothing is to be found that ſets forth *Edward*'s Right in particular; for in all the Acts where any mention is made of it, the ſaid Right is all along ſuppos'd as devolv'd to *Edward* by the Death of *Charles the Fair*, without entring into the Merits of the Cauſe. *A.* 1328.

BUT tho the Acts of the *Fœdera* do not give us the particular Reaſons on which the ſaid Prince founded his Pretenſions to the Crown of *France*; yet they plainly diſcover that he intended ſome time or other to aſſert his Right; contrary to the Opinion of thoſe Writers who affirm that he was put upon it by *Robert* of *Artois*, and of others, who pretend that he never deſign'd it till the Year 1339, when he was provok'd by the *Flemings*, which we ſhall take notice of in the Account of the next Volume.

IT was with this View that in *June* 1328, King *Edward* form'd the Project of a League againſt *France*, with the Duke of *Brabant*, and all the Towns and People of that Province, as well as all thoſe Noblemen in particular, who were inclin'd to engage in his Service, as appears from ſeveral Commiſſions which he diſpatch'd that very Year. *His League with the Brabanters againſt France.*

WE find in a full Power which he gave to his Commiſſioners, dated the 22d of *Auguſt* 1328, at *Pontefract*, that he order'd them to demand of the Duke of *Brabant*, and all that wou'd enter into his Service, that they ſhou'd engage to ſerve him as well in Peace, as in a time of War, againſt any King or Prince whatſoever. This is a manifeſt Indication, that the Perſon aim'd at was the King of *France*, with whom he was then at Peace, and againſt whom he nevertheleſs intended a War; for if this League had a View to the *Scots*, he needed not to have *P.* 366.

been

Edw. III. been ſo careful in the wording of his Commiſſion.

P. 366. THERE is another full Power to his Envoys, of the ſame Date, to treat with the Count *de Loos*, and all manner of Perſons that were diſpos'd to engage in his Service.

P. 367. THERE's one of the like nature, dated at *Wisbich*, the 15th of *September* following, to the Seneſchal of *Gaſcoigne*, and the Conſtable of *Bourdeaux*, impowering them to treat upon the ſame Foot with the Count *d'Armagnac*, the Viſcount of *Lomagne*, the Lord of *Albret*, and with all manner of Perſons of what Rank or Condition ſoever. Shall it be ſaid then, that all theſe Preparations were made againſt *Scotland*, with which Nation his Majeſty had but juſt concluded a Peace? No; for it appears on the contrary, that they were deſign'd againſt

P. 368. *France*, by certain Letters Patent, dated at *Wisbich* aforeſaid, the 16th of the ſame Month, by which his Majeſty engag'd himſelf to make neither Peace nor Truce with *France*, without including the Towns and Nobility of *Gaſcoigne*. Nor can it be ſaid that he had a mind to go to war with *France* for any Intereſts or Views leſs than for the Crown it ſelf, becauſe he had ſettled all his other Diſputes with that Kingdom but the very Year before.

PHILIP of *Valois*, who was engag'd in a War againſt the *Flemings* from the beginning of his Reign, was in no great haſte to demand King *Edward*'s Homage for the Dutchy of *Guyenne*, and Earldom of *Ponthieu*; for it was not till *March* 1329, that he ſummon'd him to go over and pay it in Perſon. *Edward* was very loth to go and humble himſelf to a Prince, whom he look'd upon as no better than an Uſurper; but his Council was of another Opinion,

nion, and it was agreed that he ſhould go and pay the Homage himſelf. Our Prince was as yet under the Guardianſhip of his Mother and of the Earl of *March*, who thought a War extremely prejudicial to their Intereſts, as plainly appear'd by the Peace which they had made with *Scotland*. 'Tis very probable, therefore, that it was by their Intereſt that the aforeſaid Opinion was carry'd in Council, on purpoſe to avoid a War, which wou'd have been inevitable if this Homage had been refus'd. Mean while *Edward*'s Compliance was ſorely againſt the Grain, tho he had not Reſolution enough as yet to reſiſt thoſe to their Faces who had the Management of his Affairs. Mr. *Barnes*, who wrote the Hiſtory of his Life, avers, that he made an open Proteſtation before all his Council, againſt the Homage which he was to pay, that his Pretenſions to the Crown of *France* might not be thereby prejudic'd. And tho we have nothing like this in the *Fœdera*, yet all the Meaſures taken by this Prince, both before and after the Homage, render this Circumſtance very probable. All we have in that Collection upon this Subject is a Letter from King *Edward* to *Philip*, in which he acquainted him, that he had for a great while reſolv'd to pay his Duty to him, but that ſeveral Affairs had interven'd to hinder him. This Letter is dated the 14th of *April* 1329, at *Wallingford*. He went over to *France* on the 15th of *May*, and perform'd his Homage at *Amiens* on the 6th of *June* following. The Inſtrument, or Deed of Homage, containing all the Particulars which paſs'd upon that occaſion, diſcovers ſome which may ſerve to clear up Facts that have been wrong explain'd by certain *French* Hiſtorians.

A. 1329.

King Edward's *Letter to* Philip de Valois, *about his Homage.* P. 381.

The Inſtrument of his Homage. P. 389.

Edw. III. *The History of it.*

PHILIP claim'd * Liege Homage of *Edward* for the Dutchy of *Guyenne*, and the Earldom of *Ponthieu*; but in the Conferences which were held upon that Subject before the Ceremony, *Edward* proteſted, That he was not certain whether he ought to render Liege Homage, and therefore he refus'd to perform it otherwiſe than in general Terms. Nevertheleſs he promis'd upon his Honour, That if it ſhould appear to him, after he had conſulted his own Archives, that the Homage ought to be Liege, he would recognize the ſame by Letters Patent under his Great Seal. And upon this Condition he was admitted to perform only a Verbal Homage.

THE Inſtrument above-mention'd imports, that *Edward* appearing before *Philip*, *Miles de Noyers*, Viſcount of *Melun*, Great Chamberlain of *France*, ſaid to him, SIRE, *The King would have you underſtand, that he does not admit you to Homage for the Lands which he poſſeſſes, and ought to poſſeſs in* Gaſcoigne *and the* Agenois; *as to which Lands the late King* Charles *proteſted, that he never meant to receive Homage.* Then the Biſhop of *Lincoln* proteſted on his part for *Edward*, That the Homage he was performing ſhould not prejudice his Right to all *Guyenne*, and all its Dependencies; and that *France* ſhou'd not thereby acquire a new Right. After this he deliver'd a Schedule to the Chamberlain, containing the Form of the Homage; upon the receiving of which Schedule the Great Chamberlain ſaid to the King of *England*. 'SIRE, You become Liege-man to my Lord

* Homage Liege is done by the Vaſſal ungirt and bare-headed, with join'd Hands laid on the Evangeliſts, and a Kiſs receiv'd in the taking of his Oath. *See* Cotgrave.

'the King, for the Dutchy of *Guyenne* and its Dependencies, which you acknowledg to hold from him, as Peer of *France*, and Duke of *Guyenne*; according to the Form of the Peace made between his and your Predeceſſors, the Kings of *France* and *England*; and according as you and your Anceſtors, the Dukes of *Guyenne*, have perform'd for the ſaid Dutchy to his Anceſtors, the Kings of *France*.' The King of *England* anſwer'd, *Yes*. Then the Chamberlain proceeding ſaid, SIRE, *The King of* France *receives you according to the Proteſtations already made*: to which the King of *France* ſaid, *Yes*. This done, *Edward* putting his Hands between thoſe of *Philip*, the latter receiv'd him by a Kiſs of the Mouth. The ſame Ceremony was repeated by way of Homage for the Earldoms of *Ponthieu* and *Monſtrevil*. The Schedule above-mention'd, was exactly agreeable to the Words of the Chamberlain juſt now repeated. 'Tis certain, therefore, that *Edward* paid only a Verbal Homage at that time, and in general Terms, tho *du Tillet*, *de Serres*, and ſome other *French* Hiſtorians, have aſſerted the contrary. * *A.* 1329.

Miſtake of French Hiſtorians.

IT

* MR. *Barnes* alſo quotes *Mezeray*, and the King of *England*'s own Letters afterwards, to ſhew that this was a Miſtake; and it deſerves the more to be taken notice of, becauſe it ſtands uncorrected in the *General Hiſtory of* England, where Mr. *Daniel*, Penman of this Reign, ſeems to have taken it upon truſt from thoſe careleſs Writers above-mention'd, That when the King appear'd before *Philip*, he conſented to put off his Crown, Sword, and Spurs, and to kneel down before him on a Cuſhion. Mr. *Barnes* obſerves what a mighty Diſappointment our King's Stiffneſs in this Point was to *Philip* of *France*, who expected a very formal and full Homage, and invited the Kings of *Bohemia*, *Navarre* and *Majorca*, that he might have

Edw. III. P. 390.

It appears by a *Memorandum* in the *Fœdera*, that *Edward* return'd to *England* on the 11th of *June* *. Before he went, he agreed with *Philip*, that as to their reciprocal Demands and Pretenſions, he would ſend Ambaſſadors to *Paris*, to put an end to all Diſputes. The reſt of this Year was ſpent in various Negotiations, as well about the reciprocal Demands made at *Amiens*, as on the Propoſals of marrying *Edward*'s Brother and Siſter to the Children of *Philip*.

Marriage Treaty betwixt the Families of England *and* France.

The King's full Powers for negotiating the Marriages are dated at *Canterbury* the 16th of *June*, and at *Gloceſter* the 24th of *September* 1329. *Edward*, as had been agreed on, ſent as Ambaſſadors to *Paris*, *Henry* Earl of *Lancaſter* and the Biſhop of *Norwich*. Their Inſtructions are dated at *Kenilworth* the 3d of *December*, and at *Eltham* the 27th of *January* following.

P. 392, 403. P. 407, 411.

Early next Year *Edward* had Intelligence that *Philip* intended to preſs him to a categorical Anſwer, about the Nature of the Homage perform'd at *Amiens*; and therefore he ſent a full Power to his Ambaſſadors to diſcuſs all

have the more notable Witneſſes of it. There came alſo, ſays our Author, all the chief Nobility of *France*, as if they had reſolv'd to out-rival the *Engliſh* Nation, from whom they expected no more than 600 Horſemen; but our King carry'd over with him four Biſhops, four Earls, of whom two were his Uncles, eight other Lords, above forty Knights, and a thouſand Horſe of War.

* The Reaſon of the King's haſty Departure ſeems a Circumſtance too material to be omitted, taking for granted what Mr. *Barnes* ſays, *viz.* That *Philip* inwardly fretting that the King had not paid him the Obeiſance he expected, laid a Plot to ſeize his Perſon when he was moſt ſeparated from his Attendants, which being whiſper'd to the King, he took ſhipping with his Company on a ſudden, and ſail'd for *England*, before any Man knew the reaſon of his haſte.

his

his Rights at the *French* Court: But all this was only to gain time; and *Philip*, who perceiv'd it, ſent Ambaſſadors to him, requiring him to ſend over the Declaration which he had promis'd by a Letter from *Eltham*, dated the 5th of *February*. Thoſe very Ambaſſadors did *Edward* amuſe almoſt a whole Year, without giving them a poſitive Anſwer, by ſtarting Propoſals from time to time, which, tho perfectly trifling, occaſion'd divers Negotiations that we find in the Acts of the Year 1330. *A.* 1330. P. 411.

KING *Edward* continued all the while to make ſure of extraordinary Aſſiſtance from the Lords and Towns of *Guyenne*, as appears from ſeveral Full Powers iſſued for that purpoſe from *Woodſtock*, on the 27th of *April*; to one of which is added a Liſt of 118 Lords, which ſhews that the King had great Deſigns that were not bounded by *Guyenne*. Mean time, as *Philip* ſtill teaz'd him, and as *Edward*'s Affairs were not yet ready, a Treaty was concluded at *Bois de Vincennes*, on the 1ſt of *May**; by which *Edward* engag'd to pay *Philip* 50000 Marks Sterling, according to the Agreement made with *Charles the Fair*; and 60000 Livres of *Paris*, which he ow'd for the Conveyance of *Guyenne*, which his Father had made over to him. He engag'd likewiſe to demoliſh the Caſtles of the Lords of *Gaſcoigne*, who were under Condemnation. His Ratification of this Treaty is dated at *Woodſtock* the 8th of *July*; but *Philip* was not pleaſed with it, as appears by two Letters from *Edward*, the one to the Pope, the other to the Seneſchal of *Guyenne*, both dated at *Nottingham* the 20th day of *September*. P. 432, 435. *Treaty betwixt* Edward *and* Philip. P. 437. Edward's *Ratification.* P. 443. P. 449, 450.

* EVEN the accurate Mr. *Barnet* ſeems to have been miſtaken here, in dating this Treaty *May* 30.

Edw. III. *tember.* *Philip* had no reaſon indeed to be ſatisfy'd with a Treaty which did not procure him any new Advantage, and which took no manner of notice of the principal Article of his Pretenſions, *viz.* The Declaration of the Homage. But his Refuſal to ratify this Treaty, was not at all diſagreeable to the King of *England*, who was glad to keep Affairs embroil'd, that he might have a Colour for making Preparations againſt *Philip*, without giving him any room to ſuſpect that he aim'd at his Crown. Therefore he ſent a Commiſſion to the Seneſchal of *Guyenne*, to treat with the Counts *de Foix* and *de Cominges*, and others; which Commiſſion is dated the 20th of *September*, as above.

P. 451.

He granted the like full Powers to make Treaties with the Duke of *Brabant*, the Earls of *Flanders*, *Guelderland*, *Loos* and *Chiny*, and with all that were inclin'd to join with him; we find them dated the 11th of *October*, 1330, at *Nottingham*.

Ibid.

While theſe things were tranſacting, *Philip*, being out of Patience becauſe his Ambaſſadors receiv'd no Anſwer, ſent his Brother the Count *d'Alencon* into *Guyenne*, where he took and demoliſh'd the Caſtle of *Xaintes*, and plunder'd that of *Bourg*. *Edward* was then laying that Scheme with *Baliol*, which was mention'd in the foregoing Article; and to prevent the Interruption of his Projects, he reſolv'd to give the King of *France* Satisfaction, and accordingly ſent him the Letters Patent which he promis'd about the Homage. In thoſe Letters he declar'd, That the Homage which he had perform'd, ought to be deem'd Liege; and that for the future thoſe which he and his Succeſſors ſhould pay, ſhould be perform'd after the ſame manner,

Edward's *Letters Patent for his Homage to* Philip *of* France.

manner, and with the ſame Circumſtances as *Philip* demanded; of which there was a Pattern in thoſe ſame Letters, which were dated the 30th of *March*, 1331, at *Eltham*. *A.* 1331. P. 477.

FIVE Days after *Edward* went to *France*, on pretence of fulfilling a Vow; there he had an Interview with *Philip*, and made an Agreement with him, dated the 10th of *April*, whereby *Philip* gave him 30000 Livres *Tournois* for the Damage done at *Xaintes* and *Bourg*. At *Edward*'s Requeſt he alſo pardon'd the Lords of *Gaſcoigne*, by an Amneſty dated the 13th of the ſame Month, and conſented that their Caſtles ſhould not be demoliſh'd. An Hiſtorian, who wrote the Life of *Edward*, pretends that he went over to *France* in a Diſguiſe, and without *Philip*'s Knowledg, in which he is certainly miſtaken *. *His Interview and Treaty with him in France.* P. 483. *Gets a Pardon for the Nobility of Gaſcoigne.* P. 485. *An Error in Hiſtory.*

ONE wou'd have thought that a firm Peace ſhou'd have been eſtabliſh'd between the two Kings; but *Edward* had no deſign to keep it; and therefore he endeavour'd, in all the Treaties which he made with *Philip*, to leave ſome Handle or other, that he might always have a Pretence for taking Arms when he ſaw a proper time: Then was not a favourable Conjuncture, becauſe he was engag'd in a War againſt *Scotland*; and inſtead of being in a Condition to fall upon *Philip*, he had reaſon to fear the latter's giving powerful Aſſiſtance to the *Scots*. Therefore he was under a Neceſſity, during this War, to amuſe him with the Appearances

* MR. *Barnes* is guilty of this Miſtake, who mentioning his Voyage to *France*, to perform a Vow which he had made to viſit ſome Holy Places there, for his Deliverance from former Troubles and Dangers, ſays he went over privately, with no more than fourteen in Company, all diſguis'd like Merchants.

Edw. III. of a ſincere Deſire to live in Peace with him, and yet to leave Affairs in ſuch a Condition, that a Pretext for a Rupture might not be wanting on a proper Occaſion. That was manifeſtly the Aim of all *Edward*'s Negotiations with *France*, during the Term of five Years, which the War with *Scotland* laſted. And for this purpoſe, knowing that *Philip*'s Heart was intirely ſet upon an Expedition, which he had engag'd in, to the *Holy Land*, he made him believe he would go with him, and ſent Ambaſſadors to him to regulate all things proper for their Voyage. But as this Affair would, perhaps, have been ſettled too ſoon for him, he affected to ſpin out the Time, by renewing ſome old Pretenſions, which the Treaties of *Monſtrevil* and *Perigueux*, made between his Grandfather and *Philip the Fair*, had left undetermin'd: And under pretence of deciding theſe Differences, before they ſet forward to the *Holy Land*, *Edward* trifled with *Philip* while he puſh'd on his Conqueſts in *Scotland*. And the better to decoy the King of *France*, at his Sollicitation, he granted the *Scots* ſeveral Truces from time to time, on purpoſe to make him believe that he really deſign'd to continue his Friend and Ally. And this was the Drift of all the Acts we meet with on this Subject, from the Year 1332 to 1335, which are no more than full Powers to treat with *Philip*, ſometimes upon the Expedition to the Eaſt, ſometimes upon Projects of Marriages between the Princes and Princeſſes of the two Families, and at other times upon the Treaties of *Monſtrevil* and *Perigueux*, and other Particulars which it wou'd be needleſs to mention.

Edward *artfully deludes* Philip.

Mean while, tho *Philip* did not ſuſpect that *Edward* had any Thoughts of reviving his Pretenſions

tenſions to the Crown, yet he was ſenſible that it was not his Intereſt to ſuffer him to be abſolute Maſter of *Scotland*; and therefore he declar'd his Deſign to aſſiſt that afflicted Nation, whoſe King was come to his Court for Refuge. *Edward* laid hold on this Handle as a Pretext to make Preparations on his part. For this end he call'd a Great Council at *London*, to conſider of thoſe which *France* was making againſt *England*. *Edward* took it for granted, that the Aſſiſtance given by *France* to *Scotland*, was a Breach of the Peace with *England*; but he wou'd not have it underſtood, that the War which himſelf carry'd on againſt *Scotland*, an Ally of *France*, was any Breach of the Peace at all. This ſeem'd to be the reaſon of that Quarrel, which grew every Day hotter between the two Kings: And the happy Succeſs which *Edward* had been bleſs'd with againſt *Scotland*, made him talk with the greater Confidence, becauſe he ſaw the Day at hand when he might be able to bring all his Deſigns to light. This was the State of Affairs during the Years 1332, 1333, 1334 and 1335. that is to ſay, the moſt part of the time that *Edward* was engag'd in the War with *Scotland*. *A.* 1336.

IN 1336, when he expected little or no Oppoſition from the *Scots*, he preſs'd the Concluſion of his Foreign Alliances, eſpecially thoſe with the Duke of *Brabant*, the Earl of *Guelderland*, and the Marquis of *Juliers*. And to incline his Subjects to raiſe him great Supplys he pretended that the Kingdom was threaten'd with an Invaſion from *France*, and order'd all his Subjects from 16 to 60 Years old to bear Arms, by a Proclamation dated at *Walſingham* the 16th of *February*, 1336. At the ſame time he demanded the Reſtitution of ſome Lands which *Philip* detain'd

King Edward's Policy to get Money for the French War.

His Proclamation for arming his Subjects.

 P. 687.

Edw. III. detain'd from him in *Guyenne*; and by a Writ dated *June* 20 at *Newcaſtle* upon *Tine*, call'd a Great Council to conſider of Ways and Means for oppoſing the pretended Invaſion from *France*; which was with an apparent View, to have a Pretext for deſiring the greater Supply from his Subjects. Nevertheleſs he ſent Ambaſſadors again to *France*, to treat with *Philip* about the Voyage to the *Holy Land*, as appears by his Letter dated at *St. Johnſtown* the 6th of *July* following; from whence it may be ſuppos'd by the way, that he was not under the leaſt Apprehenſion of an Invaſion. Mean time he did not ſend this Embaſſy with a View to engage in that Undertaking, but only to avoid the Reproach of his having hinder'd the holy Voyage, of which *Philip* made a Handle to the Pope. With this View he gave a Commiſſion to his Ambaſſadors, at the ſame time, to treat with *Philip* for the adjuſting of all the Differences that remain'd betwixt them, on purpoſe to make him believe that his only Aim was Peace. But he took care not to leave the old Pretenſions, with reſpect to the Treaties of *Monſtreuil* and *Perigueux*, out of the number; which ſo perplex'd the Treaty, as render'd the Concluſion of it exceeding difficult; which was what he wanted.

He ſummons a Council. *P.* 701, 705.

He ſends Ambaſſadors to Philip *to treat about the Voyage to the* Holy Land. *P.* 703, 704.

The Invaſion which *Edward* pretended to be ſo much afraid of from *Philip*, came to nothing more than an Embaſſy which the latter ſent to *England*, to ſollicit ſome Accommodation in favour of King *David*; as appears by the Protection which *Edward* granted to his Ambaſſadors, dated at *St. Johnſtown* the 3d of *September*, 1336. But all this was to no purpoſe, for *Edward* had no other View than to amuſe the King of *France*, and ſo nothing was concluded.

Philip's Embaſſy to Edward *in favour of King* David. *P.* 707.

Edward

Edward found the *Scots* were ſo exhauſted, that he ſaw the War on that ſide drawing to a Period; and therefore, as is ſaid before, he us'd double Diligence to conclude his Foreign Alliances, that he might be in a Condition to attack *France* as ſoon as that War was ended. This is evident from all the Acts in the Year 1336, in which we find his full Powers to conclude Alliances with ſeveral Princes of *Germany* and the *Netherlands*, while he was compleating the Reduction of *Scotland*. 'Tis probable that he wou'd not have made a Secret of his Deſigns againſt *France* ſo long, if the Diſgrace which happen'd in *Scotland* to his General the Earl of *Athol* had not carry'd his Arms into that Country a fourth time *. Therefore he made as if he was for an Accommodation with *Philip*, and alſo with *David Bruce*, and receiv'd the Ambaſſadors whom both thoſe Princes ſent him, as appears by his Protections granted to the *French* Ambaſſadors at *Langley* the 28th of *January*, 1337. and by the full Powers granted to his own Ambaſſadors to treat with them, dated at *Windſor* the 18th of *April* following. Mean time he continu'd to negotiate with Foreign Powers; and not only with Princes, but with all manner of Perſons that were diſpos'd to engage in his Service, as appears by his full Powers, dated at *Windſor* the 19th of *April*.

A. 1336.

P. 730, 745.

Edward's *full Powers to treat with Foreigners.* P. 746.

ROBERT Earl of *Artois*, who was at variance with *Philip* of *France*, was already in *England* in *April* 1337 †, as appears by a War-

* IT appears from Mr. *Barnes* that this Battel wherein the Earl of *Athol* fell, was fought the laſt Day of *December*, 1335. in the Fields of *Kilblain*, near the Caſtle of *Kildrummy*; and to him we refer for the Particulars.

† ACCORDING to Mr. *Barnes*, this Earl fled hither in Diſguiſe ſo early as the latter end of the Year 1332, about the time that King *Edward* held his firſt Parliament at *York*.

Edw. III. rant, which King *Edward* gave him to hunt in his Foreſts, dated the 23d of that Month at *Weſtminſter*. Moſt Hiſtorians ſay that this *Robert* of *Artois* put it firſt into *Edward*'s Head to go to war with *Philip* for the Crown of *France*: but the Meaſures which *Edward* had concerted before that Earl's Arrival, make it apparent, that the moſt he did was to confirm him in the Deſign which he had already form'd.

His Warrant to Robert *of* Artois *to hunt in his Foreſts.* *P.* 747.

A Miſtake of Hiſtorians concerning Robert *of* Artois.

The following is a Liſt of the chief Princes and Noblemen with whom *Edward* negotiated a Treaty, during the War againſt *Scotland*.

Liſt of K. Edward's *Allies.*

The Count *d'Armagnac.*
The Count *de Foix.*
The Viſcount *de Lomagne.*
The Viſcount *de Tartas.*
The Lord of *Albret.*
The Duke of *Auſtria.*
The Duke of *Brabant.*
The Count Palatine of the *Rhine.*
The Earl of *Holland.*
Lewis of *Savoy.*
Lewis of *Bavaria*, Emperor.
The Marquis of *Brandenburg.*
The Archbiſhop of *Cologn.*
The Marquis of *Juliers.*
The Earl of *Hainault.*
The Earl of *Gueldre.*
The Earl of *Zealand.*
The Earl of *Mons.*
The Earl of *Marlia.*
Edward Son to the Earl of *Limburgh.*
The Earl of *Geneva.*
Hugh of *Geneva.*
The Count *de Loos.*
The Earl of *Chiny.*
Herman of *Blankard*, Dean of *Aire.*

William

A. 1337.

William of *Duyvenvoorde.*
The Lord of *Chalanck.*
Andrew of *Peyteyr.*
Nicholas of *Dort.*
Robert of *Toeburgh.*
Lambert of *Deppy.*
Croye of *Hochſtraet.*
John of *Quatre Mars.*
Henry of *Geminith.*

To whom might be added a great number of other private Gentlemen of *Guyenne*, *Almaine*, and the *Netherlands*, and eſpecially of the Towns of *Flanders*, who made a League with him afterwards, by the Intrigues of *Jacob van Arteveld*, or *Arteville* *. Every one of which Allies

* MR. *Barnes*, who gives an extraordinary Account of this Man, ſays, that tho he was but of mean Birth at *Ghent*, being no more than a Refiner of Honey, or as ſome call'd him a Brewer, yet he roſe to that exceſſive Wealth and Power, by his great Wit and Courage, that he render'd himſelf more abſolute than ever any Earl of *Flanders*: for undertaking to be the Patron of the People, he had all things entirely at his Command; and thoſe who wou'd not appear to be his Friends, were treated as Enemies to the Public. He never walk'd the Streets without ſixty or eighty luſty Yeomen at his Heels, among whom were three or four of his ſecret Council, who, upon a Sign given from him, kill'd every Man they met with upon the Spot, be he who he wou'd, if he was one that *Jacob van Arteveld* fear'd or hated. He collected every Groat of the Earl's Rents and Profits, and ſpent them at pleaſure, without taking or making any Account; and baniſh'd all the Lords and Gentlemen whom he ſuſpected to be the Earl's Friends; of whoſe Lands he levied one Moiety for his own Uſe, the other for the Uſe of the Exiles Wives and Children. And in every Town he had Soldiers and Servants in pay, to ſpy and give him notice if any Perſon had a Deſign againſt him, whom he never left till he had baniſh'd or deſtroy'd,

Edw. III. lies engag'd to furniſh him with a certain number of Troops on conſideration of ſo much Money.

His Convention with the Earl of Hainault. *P.* 783.

In the Conventions which he made with the Earl of *Hainault*, dated at *Stamford* the 12th of *July* 1337, it appears, that the ſaid Earl, tho he was his Brother-in-law, wou'd not engage with him but upon condition that *Edward* ſhou'd have the Title of the Emperor's Lieutenant or Vicar. This ſhews the reaſon why *Edward* courted that Dignity, which the Pope reproach'd him for afterwards, as being beneath him.

His Letter to the Emperor, urging him to be reconcil'd to the Holy See. P. 799.

In a Letter dated from *Weſtminſter* the 26th of *Auguſt*, 1337, to *Lewis* of *Bavaria*, the Emperor, *Edward* ſollicited him to be reconcil'd to the Holy See. And it appears by this Letter, that the Emperor had engag'd to come in Perſon to *Edward*'s Service with 2000 Men at Arms, for which he was to receive 300,000 Florins.

All the World now plainly ſaw that *Edward* was reſolv'd upon a War with *France*, but no Declaration had as yet been made that it was to enforce his Right to the Crown. This was a Secret which *Edward* kept ſtill in his own Breaſt. The Pretence he made uſe of for arming, was to put himſelf in a Poſture of Defence againſt *Philip*, who had made an Alliance with the *Scots*, and threaten'd, as he ſaid, to

deſtroy'd. From hence the *Engliſh* were under a Neceſſity of making him their Friend, which in the Courſe of Providence afterwards prov'd his Downfal: for on the 17th of *July*, 1345, he was murder'd by the Populace in his own Houſe at *Ghent*, who were exaſperated by his endeavouring to eſtabliſh King *Edward*'s Son, Count of *Flanders*, in prejudice of the right Line; and by his ſquandering the Treaſures of *Flanders*, and conveying them to *England*.

invade

invade *England*. In order to make his Subjects believe with what Regret he took Arms, he put forth a Proclamation from *Weſtminſter* the 28th of *Auguſt*, 1337, in which he notify'd to his People all the Steps that he had taken to prevent this War, of which theſe were the chief. *A.* 1337.

His Proclamation of his Reaſons for taking Arms againſt France. P. 804.

1. HE had offer'd his Son the Duke of *Cornwal* in Marriage to a Daughter of *Philip*, without deſiring any Dowry. *His Offers to* France.

2. HE had made an Offer of his Siſter *Eleanor*, Counteſs of *Gueldre*, in Marriage to *John*, *Philip*'s eldeſt Son, with a very great Sum of Money.

3. HE had offer'd *Philip* as much Money as he ſhould reaſonably demand, to make him ſatisfaction for Damages.

4. HE had propos'd to accompany him to the Holy Land, on condition that he wou'd reſtore him one Moiety of the Lands which he kept from him.

5. HE had made him the ſame Offer, if *Philip* wou'd but engage to make him that Reſtitution after their Return.

6. AT *Philip*'s Requeſt he had granted the *Scots* a Truce, during which they had kill'd the Earl of *Athol*.

7. AND, notwithſtanding this Inſtance of the *Scots* Treachery, he had, at the Requeſt of the King of *France*, granted them another Truce.

THE Reader will judge of the Importance of theſe Offers, and whether they were not liable to ſuch Conſtructions, as might have eaſily furniſh'd *Edward* with a Pretext for revoking his Promiſe. Accordingly *Philip* did not regard 'em. The Ruin of the *Scots* (the only thing that *Philip* was then afraid of) was too prejudicial to his Intereſts, to ſuffer him to aban-

Edw. III. don that Nation, as *Edward* demanded of him in purſuance of thoſe Offers, which were not near ſo advantageous to *Philip* as to the King of *England*.

His Letter on the ſame Subject to the Pope. P. 807.

EDWARD wrote much in the ſame ſtrain to the Pope, on purpoſe to arm him, as he ſaid, againſt the falſe Suggeſtions of his Enemies; as appears by his Letter dated *September* the 1ſt, 1337, at *Weſtminſter*. But not a Word yet of his Pretenſions to the Crown of *France*. On the contrary, he granted full Powers to his P. 812. Commiſſioners, dated the 3d of *October*, at *Weſtminſter*, to treat with the King of *France* on all Points whatſoever, without making the leaſt mention, all the while, of the Crown.

P. 815. YET the very ſame Day he gave a Power to his Envoys beyond Sea, to yield to thoſe who were inclin'd to engage in his Service, certain Lands and Fiefs belonging to him, whether he was in poſſeſſion thereof or not, as well in the Kingdom of *France*, Dutchy of *Aquitain*, and other parts abroad, as in *England*, *Ireland*, &c.

He makes a formal Demand of the Crown of France. P. 818.

BUT four Days after this he quite pull'd off the Mask, which he had wore ſo long, and gave a Commiſſion to the Duke of *Brabant*, the Marquis of *Juliers*, and *William Bohun* Earl of *Northampton*, to demand the Crown of *France*, and to take poſſeſſion of it in his Name. This full Power is dated the 7th of *October*, 1337, at *Weſtminſter*.

Ibid. *Appoints a Lieutenant or Vicar General, and challenges the Obedience of the* French. P. 819.

THE ſame Day he ſent a Patent to the Duke of *Brabant*, conſtituting him his Lieutenant or Vicar General in *France*: And alſo,

AN Order, enjoyning all *Frenchmen* to pay the ſame Obedience to the Duke of *Brabant* as to himſelf.

THESE three laſt-mention'd Pieces are a deciſive Proof, that he did not ſtay till 1339 be-

fore

fore he publickly declar'd his Pretenſions to the Crown, as ſome *French* Hiſtorians affirm, to ſatisfy a Scruple of the *Flemings*; of which we ſhall take notice in our Account of the next Volume of the *Fœdera*. *A.* 1337.

An Error of French *Hiſtorians detected.*

EDWARD having taken this ſtep, wrote to the Pope, deſiring he would excuſe him for his having made an Alliance with the Emperor, then under Excommunication; the Letter is dated the 17th of *October*, at *Weſtminſter*.

Edward *ſends to the Pope to excuſe his making an Alliance with the excommunicated Emperor.* P. 826.

BENEDICT XII. who then fill'd the See of *Rome*, and was inclinable to favour *France*, hearing of *Edward*'s Preparations, ſent two Cardinals to him, to endeavour to prevent the Effuſion of Chriſtian Blood. Their Paſſport granted by *Edward* is of the ſame Date as the Letter.

His Paſſport for two Cardinals. P. 827.

UPON News of the Legates coming, *Edward* aſſembled his Parliament to conſult about the manner of their Reception, and the Motives of their being ſent: The Writ for calling it was dated at *Weſtminſter* the 20th of *December*.

He calls a Parliament upon their Arrival. P. 832.

EDWARD mightily careſs'd the Legates, and in pure Complaiſance to them, engag'd himſelf not to commence a War againſt *France* before the 1ſt of *March*, 1338. But this was no ſuch great Favour as he wou'd have them think it to be, ſince the Engagement was dated at *Guilford* the 24th of *December*, 1337. 'Tis true that it was prolong'd afterwards to *Midſummer-day*.

His Truces with the French *previous to the War.* P. 833.

Thus end the Acts of this fourth Volume of the *Fœdera* that relate to *France*. My chief View in dwelling ſo long upon this Volume, which in the main has little more in it than the Preparations for a War with *France*, was to ſhew the Genius, and part of the Character of

Edw. III. *Edward* III. and I cou'd not poſſibly have made a ſhorter Abridgment of it without loſing my Aim.

Article IV. *Affairs Eccleſiaſtical.*

THERE are fewer Pieces in this Volume, relating to Eccleſiaſtical Affairs, than in any of the three preceding; and ſuch as we find here are of no great Moment, or properly ſpeaking, but a Repetition of what has been already publiſh'd in the other Volumes. Here are the very ſame Diſputes between the Popes and the *Engliſh*, touching the Collations to Benefices, Appeals, and Citations to the Court of *Rome*. Therefore I think it will be needleſs to enter into any Particulars upon this Head, ſince we have ſeen what it treats of in the preceding Volumes. It muſt only be remember'd, that in all the Diſputes that happen'd between the King and the Pope about the Collation to Benefices, the King was always worſted, becauſe the Clergy took part with the Pope. This made the Popes endeavour every Day to augment the number of Benefices, and to claim the ſole Diſpoſal of 'em to themſelves. For Example, we find in this Volume, that when the See of *Worceſter* became vacant, by the Tranſlation of its Biſhop to that of *Ely*, the Pope immediately fill'd the vacant See, without any regard to the Nomination of the Chapter. The Reaſon he gave for it was not borrow'd from Scripture, nor from the antient Canons, but from his mere Will and Pleaſure: *For*, ſaid he, *before the Vacancy of the See of* Worceſter, *we had made an Order, that all Biſhopricks, which became vacant by the Tranſlation of Biſhops to another See, ſhou'd be*

at

at our Diſpoſal. At this rate if he had taken a Fancy to order before-hand, that all the vacant Benefices, no matter how, ſhould be at the Diſpoſal of the Holy See, it would have been a ſufficient Reaſon to deprive all the Chapters, and all the Patrons of their Right. But we ſhall ſee in the Sequel of this Reign, that the King and Parliament gave a Check to this Uſurpation. *A.* 1330

HERE are in this, as well as in the other Volumes, ſeveral Orders of the King againſt Appeals and perſonal Citations to the Court of *Rome*, and againſt other of the Pope's Vexations; but as they contain nothing new, or particular, we ſhall paſs them by.

A LETTER from *Edward* to Pope *John* XXII. dated at *Woodſtock* the 12th of *April*, 1330. ſhews, that this Pope did not forget himſelf when he granted the King the Tenths upon the Clergy, becauſe of thoſe which he granted to this Prince, for the Term of four Years, he reſerv'd one Moiety to himſelf. *King's Letter to the Pope about the Clergy paying Tenths.* *P.* 428.

WE find alſo the very ſame Pope demanding 30 Years Arrears of the Tribute eſtabliſh'd by *John Lack-land*, deducting only what *Edward* II. had paid. The King, whoſe Intereſt it was at that time to humour the Court of *Rome*, promis'd to pay 500 Marks every Year till the whole was paid, reckoning four Florins of Gold for every Mark; but he was not ſo good as his Word, and we ſhall ſee hereafter that at laſt he aboliſh'd this Tribute.

EDWARD having given leave to a certain Cardinal, who had Benefices in *England*, to ſummon his Debtors into the Spiritual Court; the Parliament pray'd him to revoke that Order, as contrary to the Laws of the Kingdom: which

Edw. III. which he did accordingly, by another Order of the 28th of *June*, 1328. at *Eveſham*.

P. 356. *His Letters to the Pope for canonizing certain holy Men.* *P.* 268. 421. 478. 272. 275. 336. 375.

In this Volume are ſeveral Letters from *Edward* to the Pope to obtain the Canonization of the Earl of *Lancaſter*, *viz.* one dated at *London* the laſt Day of *February*, 1327. another at *Wincheſter* the 7th of *March*, 1330. and a third from *Eltham* the 3d of *April*, 1331. A Letter alſo for the Canonization of *Robert* of *Winchelſea*, Archbiſhop of *Canterbury*, dated at *Weſtminſter* the 8th of *March*, 1327. Two others for canonizing *John* of *Dalderby* Biſhop of *Lincoln*, one dated at *Weſtminſter* the 11th of the ſame Month; the other at *York* the 20th of *February*, 1328. and one for canonizing *William de la Marche* Biſhop of *Bath* and *Wells*, which is dated at *Weſtminſter* the 20th of *February*, 1329.

Pope Benedict's *Letter notifying his Election to King* Edward. *P.* 633.

Here we have alſo a Brief, or Letter, from Pope *Benedict* XII. in which he notify'd his Election to *Edward* before any other Chriſtian Prince: 'Tis dated at *Avignon* the 5th of the Ides of *January*, 1335.

Pope's Bull againſt certain Heretics of Bavaria. *P.* 315.

The chief thing in this fourth Volume, with reſpect to Religion, is a Bull of Pope *John* XXII. againſt certain Heretics of *Bavaria*, who taking part with the Emperor againſt the Pope, had written a Book containing certain Propoſitions which the Pope condemns in this Bull; and not only condemns, but particularly confutes by ſuch Arguments as were furniſh'd him, or were approv'd, ſays he, by a great number of Cardinals, Archbiſhops, Biſhops, and Doctors both of Divinity and Law. If the Account given of this Volume were not too long already, I would here add every one of the Pope's Arguments at large: But to be ſhort, I ſhall content my ſelf with mentioning the five condemn'd Propoſitions, and

and ſome of the moſt remarkable Proofs by which the Pope confutes them. This Bull is dated at *Avignon* the 10th of the Calends of *November*, 1327. *A.* 1327.

PROPOSITION I.

WHEN Jeſus Chriſt *paid Tribute* * *to the* Emperor, *by means of a Piece of* Money † *taken in the Mouth of a* Fiſh, *he did not do it out of Complaiſance, but mere Neceſſity.*

Jesus Christ, *ſays the Pope*, being the Son of *David*, was not oblig'd to pay Tribute; therefore 'tis falſe to aſſert, that he was under a Neceſſity to pay it. The Hereticks reaſon falſly when they ſay, that the Temporalities of Jeſus Chriſt, and by conſequence Church-Livings, were ſubject to the Emperor's Juriſdiction; becauſe Jeſus Chriſt paid for his Perſon, and not for his Eſtate.

PROPOSITION II.

St. Peter *had no more Authority than the other* Apoſtles, *and* Jeſus Chriſt *has eſtabliſh'd no Head over the Church.*

Among other Arguments which the Pope brings to confute this Propoſition, he ſays, that Jeſus Chriſt gave the other Apoſtles a limited Power, when he ſaid to them, *Whoſeſoever Sins ye remit*, &c. and when he ſaid, *Go forth and baptize:* But that the Authority which he gave

* 'Tis call'd *Didrachma* in the Original, which was in value 15 *d.*

† In the Original 'tis *Stater*, which is half an Ounce of Silver, in value 2 *s.* and 6 *d.*

Edw. III. to *Peter* was unlimited, *Feed my Sheep*; and elsewhere, *I will give thee the Keys*, &c. which he says to no other Apostle in particular.

MOREOVER he said to St. *Peter*, *Launch out into the Deep*, meaning that he alone was to define the most important Doubts and Disputes in Matters of Faith; whereas he said to the other Apostles, *Leave your Nets*.

PROPOSITION III.

IT belongs to the Emperor *to make a* Pope, *to depose him, and to punish him.*

AMONG the Arguments which *John* XXII. makes use of to combat this Proposition, he says, That St. *Peter* was establish'd by Jesus Christ, and not by any Temporal Lord; that the Emperors before *Constantine* made no Popes; and that *Constantine*, far from having acquir'd such Right by his Conversion, became on the contrary a Son and a Disciple subject to the Pope. He adds, that this Emperor transfer'd the Seat of his Government to *Constantinople*, because he thought it impracticable to exercise his Power in a City which was the Residence of the Head of the Christian Church.

AFTER many other Arguments, which have nothing in them more than common, he falls upon the Heretics for maintaining, that *Pilate* in quality of Judge Ordinary caus'd Jesus Christ to be crucify'd. Upon this he says, that these Words are capable of a double Sense, to mean either that *Pilate* crucify'd Christ *de jure*, or that he did it *de facto*; if *de jure*, this is false, for no Man can be condemn'd by Law till he is found guilty; now Jesus Christ was innocent:

innocent: If we underſtand it *de facto*, no other Inference can be drawn from it, but that the Emperor may unjuſtly put the Pope to Death, and not only the Emperor, but any other private Perſon. *A.* 1327

PROPOSITION IV.

ALL Prieſts, whether Popes, Archbiſhops, or Biſhops, have an equal Juriſdiction according to the Inſtitution of Jeſus Chriſt. *And if any one has more Authority than the others, they have receiv'd it from the* Emperor, *who, as he gave it, can alſo revoke it.*

AMONG many other Arguments, the Pope makes uſe of the following, to ſhew that the Diſtinction of ſeveral Degrees of Power in the Church, is by the Inſtitution of Jeſus Chriſt. He by whoſe Authority any thing is done, ſeems to do it himſelf. Now *Peter*, the Vicar of Jeſus Chriſt, and the Head of his Flock, conſidering, that as the Flock increas'd, it wou'd be neceſſary to increaſe the number of Shepherds, inſtituted various Degrees of Power in the Church: Therefore ſuch Diſtinction being made by the Authority of St. *Peter*, it is the ſame as if it had been made by Chriſt himſelf.

AS to the Queſtion, *Whether all Prieſts are equal?* he ſays, that as to the Dignity of their Order they are all equal, but not as to Power. Yet he acknowledges, that when an inferior Prieſt celebrates the Euchariſt, the ſame Effect follows as if it had been done by a ſuperior; becauſe 'tis one and the ſame internal Prieſt, *viz.* Jeſus Chriſt, who produces Tranſubſtantiation.

PROPOSITION V.

THE whole Church join'd together can puniſh no Man in a compulſive Way, unleſs it be by Authority from the Emperor.

JOHN XXII. pretends that the Power of Excommunication is a compulſive Power; and that the Power of Excommunication being granted to the Church by Jeſus Chriſt, the Church has therefore a compulſive Power. To prove that Excommunication is compulſive, he argues, that the major Excommunication not only deprives the Perſon excommunicated of the Sacraments, but excludes him alſo from the Communion of Believers. Now, adds he, the Imperial Laws ſay that 'tis reckon'd worſe to converſe with Men, and be depriv'd of their Suffrage, than to be totally ſeparated from Mankind; therefore Excommunication is worſe than temporal Puniſhment, from whence it follows that the Church has a compulſive Power.

As a farther Proof that the Power of the Church is compulſive, he mentions the Power which *Peter* exerted with reſpect to *Ananias*; and that Paſſage of St. *Paul* to the *Corinthians*, *Shall I come unto you with a Rod?* and that other Paſſage, *The Weapons of our Warfare are not carnal, but mighty through God, to the pulling down of ſtrong Holds.*

WE

WE proceed now to the fifth Volume of the Fœdera, *which is a Continuation of the Acts of* Edward III. *a Reign of ſo much Glory to the* Engliſh *Nation, that Mr.* Rymer *cou'd not help introducing this Volume, as he did the fourth, with a triumphant Character of it in his Dedication to the late Queen, which we hope will not be deem'd an improper Preface to our Account of it.*

May it pleaſe, *&c.*

'THIS Volume is a Continuation of the 'publick Acts and Treaties in the moſt 'active and proſperous Reign of *Edward* III.

'IN courſe of Time it brings to that memo-'rable Day, the Battle of *Poyctiers*, where *Ed-'ward* of *Woodſtock* (otherwiſe call'd the *Black 'Prince*) took the *French* King Priſoner.

'THE Battel of *Creſſy* in the 20th, and this 'of *Poyctiers* in the 30th Year of his Reign, 'were two the moſt famous Actions (of any 'Ages by-paſt) that have the Honour to live 'in Story.

'THE Fight of *Creſſy* brought into *Engliſh* 'Hands the fair Town of *Calais*.

'FROM *Poyctiers*, beſides the *French* King, 'were brought over into *England* (What Pri-'ſoners! What Hoſtages!) the Duke of *Or-'leans*, the Duke of *Anjou*, the Duke of *Ber-'ry*, the Duke of *Vendoſme*, the Duke of *Bour-'bon*, and *James* of *Bourbon*, Progenitor of 'your Majeſty's now Adverſary of *France*.

'THOSE were Times of Triumph! thoſe 'were ſhining Days!

'YET add 20 great Names more; and throw 'in the Obligations of three Millions for the 'French King's Ranſom, *&c.*

Edw. III.

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KING *Edward*'s Affairs with *France*, being as it were the Center to which all his Negotiations tended, it is neceſſary to begin with this Article, as being of the greateſt Importance, and that on which all the others do in ſome meaſure depend.

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Edw. III. was inveſted with that Dignity; and undoubtedly the King himſelf was of opinion, that it wou'd be ſerviceable to him for engaging ſeveral *German* Princes in the League.

THESE Affairs having employ'd him till *September* 1339. it was not till that Month that he put himſelf at the Head of his Troops, to enter into the Territories of *France*. We find by one of the Acts of this Volume, that on the 26th of that Month he was at *Marchienne*, between *St. Amand* and *Doway*, from whence he advanc'd into the *Cambreſis*, where he heard that *Philip* of *Valois* was drawing near with a numerous Army. Notwithſtanding their Superiority *Edward* paſs'd over the *Schelde* to meet them, ſo that the two Armies were quickly near enough to engage. *Philip* even ſent *Edward* a Challenge, which was accepted on the Spot, and the Day and Place actually ſettled for deciding the Quarrel by a general Combat; but *Philip* retir'd on a ſudden without offering to ſtrike a Blow. They ſay he was intimidated by Letters from *Robert* King of *Naples*, a great Aſtrologer, who told him he wou'd have bad Succeſs. Be it as it will, *Edward* ſeeing no Proſpect of coming to a Battel, retir'd on his part into *Hainault*. Thus ended this firſt Campaign without any Bloodſhed.

His March into France. *P.* 124.

Philip *challenges, and runs away.*

EDWARD ſpent the reſt of this Year at *Antwerp*, where important Affairs detain'd him till the Month of *February* 1340. That which took up moſt of his time, was the Negotiation which he had on foot to bring the Towns of *Flanders* into the League. In the Year 1331 he had made a Treaty with 'em, by which they were only engag'd to obſerve an exact Neutrality; but at laſt he gain'd the *Flemings* on his ſide, upon condition that he wou'd take the Title

Title of King of *France*, becauſe *Philip*'s E- *A.* 1340.
miſſaries had inſpir'd them with ſuch a Scruple, that they look'd upon it as a high Crime to bear Arms againſt the Sovereign Lord of *Flanders*; and they thought they ſhould be skreen'd from this Reproach by recognizing *Edward* in that Quality. Ever after *Edward* took the Title of King of *France*, and caus'd his Arms to be quarter'd with thoſe of *France* and *England* *. 'Tis not ſtrange that *Edward* was prevail'd on to take this Title, ſince he ceas'd to give it to *Philip*, after he had manifeſted his Deſign to proſecute his own Claim to the Crown, as we ſhall ſee hereafter.

Edward *aſſumes the Title and Arms of King of* France.

THE time that *Edward* ſpent at Home, till the next Campaign, was employ'd in Preparations for the War; borrowing Money on all hands, and taking Precautions to maintain his Allies in the League, and his Subjects of *Guyenné* in their Allegiance. After having taken all theſe Meaſures, he ſail'd from *England* on the 22d of *June* for the *Netherlands*, carrying with him a Fleet of 300 Sail. Two Days after his Departure he met the *French* Fleet in the way to *Sluys*, conſiſting of 500 Sail, waiting to intercept him in his Paſſage: Notwithſtanding the Enemy's Superiority he began a Battel with 'em, which laſted all Day, and in which the *French* Fleet was ſo entirely ruin'd,

P. 195.

Engliſh *Fleet beats the* French *before* Sluys.

* EITHER at this time, or ſoon after, the King ſet at the Foot of his Shield, beneath the Arms of *France* and *England*, thus quarter'd, this *French* Motto, which is continu'd to this Day, DIEU ET MON DROIT, *i. e. GOD AND MY RIGHT*, declaring thereby his Confidence to be only in God and the Equity of his Cauſe. *See Mr.* Barnes.

that

Edw. III. that only 30 Ships eſcap'd. This Fight happen'd on the 24th of *June*, 1340 †.

Siege of Tournay.

AFTER this Victory *Edward* put himſelf at the Head of his Army, which was 150000 Men ſtrong, of whom he detach'd 50000 under *Robert* of *Artois* to *St. Omer*, while himſelf went with the reſt to beſiege *Tournay*. The Succeſs of this Campaign was far ſhort of anſwering ſuch great Preparations. *Robert* of *Artois*, after having receiv'd a Shock near *St. Omer*, ſaw his whole Army diſpers'd, which conſiſted chiefly of the Militia of *Flanders*; while *Philip* of *Valois*, who was advanc'd near *Tournay*, gave ſuch Interruption to the Siege, that *Edward* was three Months before the Place without any proſpect of taking it; nor was it even poſſible for him to give Battel, tho he ſent a * Charter of Defiance to *Philip*, becauſe he would not accept it. As *Edward* ſaw no probability of making himſelf Maſter of *Tournay*, and as he could not raiſe the Siege without Diſgrace, he was extricated out of this Difficulty by *Joan* Counteſs Dowager of *Hainault*, his Mother-in-law, and Siſter of *Philip* of *Valois*, who coming out of a Convent to which ſhe was retir'd, negotiated with ſuch Succeſs, that ſhe made the two Kings conſent to a Truce, in which all their Allies were comprehended. The ſaid Truce was to laſt till the 25th of *June* next following.

Truce with France.

† MR. *Barnes*, who relates the Particulars of this Fight, ſays the *French* loſt 25000 or 30000 Men, among whom were two of their Admirals; and that the *Engliſh* took 230 Sail of their Ships, beſides thoſe they deſtroy'd.

* *EDWARD* challeng'd him to fight at ſingle Combat, or to end the Diſpute by a Battel of 100 of the ſtouteſt Soldiers on each ſide. Mr. *Barnes* has inſerted the Challenge at large.

EDWARD,

EDWARD, after ſuch mighty Preparations for War, was very much mortify'd when he ſaw he was oblig'd to make a Truce which broke all his Meaſures, and render'd all the Expence he had been at till then entirely fruitleſs. He had the more reaſon to lament the ill Succeſs of this Campaign, becauſe he ſaw himſelf on the point of loſing all his Allies. The Duke of *Brabant* had already withdrawn his Troops, during the Siege of *Tournay*; the *Flemings* ſeem'd to be ſorry that they had enter'd into the Alliance; and the Emperor, being diſguſted that the Truce of *Tournay* was made without his Privity, threaten'd to abandon the Confederates, which he did; and his Defection drew that of the *German* Princes along with it. To this add a Conſideration which fretted *Edward* as much as any one thing, *viz.* How to raiſe Money to pay off his Debts, and a Supply to enable him to renew the War when the Truce was expir'd. He had enter'd on this War by the Advice of the Archbiſhop of *Canterbury*, his Prime Miniſter, and upon the Promiſes he had made him that nothing ſhould be wanting. Nevertheleſs he was no ſooner engag'd in the Siege of *Tournay*, but the Archbiſhop, being ſway'd, as 'tis thought, by Pope *Benedict* XII. who was very partial to *France*, not only fail'd to ſend the Money which he had promis'd him, but alſo oppos'd the raiſing of a Subſidy which had been granted to the King by Parliament. This Breach of Promiſe oblig'd *Edward* to engage in conſiderable Loans, and to pay great Intereſt for Money, which diſabled him from making due Preparations for renewing the War. In 1341, when he return'd to *England*, he took the Archbiſhop of *Canterbury* to task, whom he accus'd of having maliciouſly

A. 1341.

Edward's Allies begin to fall off.

Edward ſuffers by the Archbiſhop of Canterbury's *Breach of Promiſe.*

Edw. III. licioufly thwarted the Execution of his Deſigns. Mean time, as he ſtood in need of the Clergy, he was afraid to puſh that Prelate to the utmoſt; ſo that he came off with making ſome Submiſſions, after he had in vain try'd to ſet the People at variance with the King. In theſe Straits *Edward* took care to get the Truce prolong'd to the 24th of *June*, 1342. He ſadly wanted ſo much time to ſet his Affairs in order, which were very much unſettled by the want of Money, and the Infidelity of his Allies. 'Tis very probable that this Truce wou'd have been ſucceeded with a final Peace, if the Death of the Duke of *Bretagne*, which happen'd at this Juncture, had not been attended with ſuch Conſequences as fluſh'd *Edward* with Hopes that he ſhould be able to attack *Philip* on that ſide with better Succeſs. As *England* was very much intereſted in the Quarrel that happen'd on account of the Succeſſion of the Duke of *Bretagne*, 'tis neceſſary juſt to explain the Origin of this Quarrel, and the Occaſion which *Edward* had to meddle in it.

Death of the Duke of Bretagne.

Quarrel about his Succeſſion.

ARTHUR II. Duke of *Bretagne* had Children by two Wives; by the firſt, *John* II. who ſucceeded him, *Guy*, who was Earl of *Pentebria*, and *Peter*, who left no Iſſue; and by the ſecond, *John*, who was Earl of *Montfort* in *France* by Right of his Mother. *Guy*, the ſecond Son of *Arthur*'s firſt Wife, died in 1331, and left but one Daughter nam'd *Jane*, whom *John* II. her Uncle, gave in Marriage to *Charles* of *Blois*. This *John* II. dying in *April* 1341, *Bretagne* was diſputed between *John* Earl of *Montfort*, and *Charles* of *Blois*; the former maintaining that the ſaid Dutchy ought to revert to him, as the neareſt Heir of his Brother *John* II. and *Charles* of *Blois* inſiſting upon the Prerogative which

which gave *Jane* his Wife the ſame Right as *Guy* her Father wou'd have had if he had been living. This Affair being carry'd into *France*, and referr'd to the Court of Peers, *Bretagne* was awarded to *Charles* of *Blois*, who was Nephew to *Philip* of *Valois*. *John* of *Montfort* pretending that Injuſtice had been done him, had reçourſe to *Edward*'s Protection; and after having done him Homage he went into *Bretagne*, where he made ſome Progreſs; but his Happineſs did not laſt long, for at the Approach of *John* Duke of *Normandy*, whom his Father King *Philip* had charg'd with the Execution of the Arret paſs'd in favour of *Charles* of *Blois*, the Earl of *Montfort* was oblig'd to retire to *Nantes*, where he was immediately beſieg'd, taken, carry'd to *Paris*, and committed to the great Tower of the *Louvre*.

A. 1342.

Earl of Montfort *pays Homage to* Edward *for* Bretagne.

He is taken, and committed to Priſon.

Nevertheless his Impriſonment did not put an end to the Affair: *Margaret* of *Flanders*, his Wife, who manag'd Affairs for her impriſon'd Husband, renew'd an Alliance with *Edward* in the Name of her Son, but four Years of Age, and promiſed to deliver up all the Places of *Bretagne* to him, which were at her Diſpoſal. In conſequence of this new Treaty, *Edward* ſent Troops to *Bretagne* under the Command of the Earl of *Northampton*, to take poſſeſſion of the ſaid Dutchy. Not long after he ſent *Robert* of *Artois* thither, who after having made himſelf Maſter of *Vannes*, was beſieg'd there, and dy'd of the Wounds he receiv'd in the Defence of the Place, which was carry'd by Storm. The Earl of *Northampton* having not Forces enough to maintain himſelf in *Bretagne*, *Edward* reſolv'd to go thither himſelf with powerful Succours; and arriving in the Dutchy in the Year 1342, he there caus'd four

Edward *ſends Troops to* Bretagne.

Goes himſelf with a great Reinforcement.

Edw. III. four Places to be beſieg'd at once. But at the Approach of the Duke of *Normandy*, who advanc'd at the Head of a numerous Army, *Edward* was oblig'd to muſter all his Forces in one Body, which when all was done was ſtill inferior to the *French* Army; therefore he choſe to intrench himſelf, which he did in ſuch a manner, that the Duke did not once dare to attack him. In fine, after both Armies had ſpent great part of the Winter, as it were in ſight of each other, with great Inconvenience to both, two of the Pope's Legates mediated a general Truce, in which all the Allies and Adherents of the two Kings were comprehended. This Truce, which was ſign'd the 20th of *February* 1343, at *London*, was to laſt till *Michaelmaſs* 1346. It was likewiſe agreed that the two Kings ſhou'd ſend their Plenipotentiaries to *Avignon*, to negotiate a Peace there before the Pope as a private Perſon, which Negotiation was to begin upon ſuch a Day, and to laſt ſo long: That the Pope ſhou'd ſend a Nuncio to *Bretagne*, to ſee to the Obſervation of the Truce: That the City of *Vannes* ſhou'd be put into the Nuncio's Hands, to keep it in the Pope's Name till the end of the Truce; and that *John* of *Montfort* ſhou'd be ſet at liberty.

Another Truce with France. *P.* 357.

THO King *Edward* appointed his Plenipotentiaries for the Peace, by a Commiſſion dated the 20th of *May* 1343, at *Weſtminſter*, and gave them their Inſtructions, and their full Powers, yet an unthought-of Accident retarded their Departure. *Nichol de Fliſco*, who was *Edward*'s Envoy at the Pope's Court, being taken from his Houſe in the Night-time, and carry'd into *France*, *Edward* was reſolv'd to have ſatisfaction for this Affront before he ſent away his Ambaſſadors, as appears by his Let-

P. 366.

ter to the Pope dated *July* the 6th, 1343, at *Clarendon*; and at the ſame time demanded a Paſſport to protect them from the like Acts of Violence. But the Pope having not yet taken one Step to puniſh thoſe who had carry'd off the King's Envoy, and being moreover unwilling to grant a Paſſport, contrary to the uſual Form, the *Engliſh* Plenipotentiaries ſtay'd in their Iſland; which was the reaſon that the Term fix'd for the Treaty was often prolong'd. *A.* 1344. *P.* 375. *Edward demands Satisfaction for the Arreſt of his Envoy.*

IT was now the Year 1344, yet *Edward* did not care to enter into any Negotiation before he had Satisfaction as well for the Seizure of his Envoy, as the extraordinary ſafe Conduct which he demanded for his Ambaſſadors. To this was added another Cauſe of Complaint, *viz.* for the detaining of *John* Earl of *Montfort*, whom *Philip* ſtill kept in Priſon, contrary to an expreſs Article of the Truce, on pretence that the ſaid Prince cou'd not find Sureties in *France*. Yet 'tis probable that all theſe Obſtacles wou'd have been remov'd, had it not been for another Accident, which was the Occaſion of the Breach of the Truce. *Oliver de Cliſſon*, a Lord of *Bretagne*, and 10 other Lords and Gentlemen of that Province, or *Normandy*, having been arreſted in *Bretagne* by Order of the King of *France*, were conducted to *Paris*, where the ſaid Prince caus'd them to be beheaded without any Form of Law. The *French* Hiſtorians pretend that thoſe Lords were Friends and Partiſans of *Charles de Blois*, and that they went voluntarily to *Paris* to aſſiſt at a Tournament: but we ſhall find by the Sequel that their Account has not one Word of Truth in it, and that on the contrary they had declar'd for *John* Earl of *Montfort*, and were apprehended in *Bretagne*. Be this as it will, *Edward* demanded Satisfaction *And for other Acts in Violation of the Truce.* *A Miſtake of* French *Hiſtorians, about ſome Gentlemen who were taken up and beheaded by their King, without any Form of Tryal.*

Edw. III. Satisfaction for this Violation of the Truce, and ſent Ambaſſadors to the Pope for that very Purpoſe. This Affair ſpun out the remainder of this Year and part of the next, without the Pope's giving or procuring *Edward* the Satisfaction he demanded. On the contrary, it appears from ſeveral Acts in this Collection, that he preſs'd him to make Peace without including his Allies, and that he endeavour'd to render him reſponſible for the Violation of the Truce, by laying all the Blame of it upon him. In fine, after *Edward* had waited a whole Year for the Satisfaction which he demanded of *Philip*, perceiving there was no likelihood of obtaining it, he, by a Declaration dated the 24th of *April* 1345, at *Weſtminſter*, notify'd that the Truce was broke. But as this was what he did not expect, he cou'd not be in a Condition to renew the War till towards the middle of the Year 1346.

P. 448.

King of France *ſends his Son into* Guyenne.

THIS Delay had like to have coſt him dear, becauſe *Philip* took that Opportunity to ſend his Son, the Duke of *Normandy*, into *Guyenne*, with an Army of 100,000 Men, who threatned to drive the *Engliſh* entirely out of the Province. But it was owing to *Edward*'s good Fortune, that the Progreſs which the Duke made fell ſhort of what might be expected from ſo great an Armament; for he only took a few paltry Towns along the *Garonne*, and then laid ſiege to *Aiguillon*, where the brave Reſiſtance of the Beſieged made him loſe a great deal of Time. Mean time *Edward*, who ſaw *Guyenne* in great Danger, reſolv'd to go thither himſelf with ſome Succours. With this View he embark'd the ſecond of *July* 1346, with an Army of about 30,000 Men, among whom were 4000 Men of Arms. As impatient as he was to go

King Edward *ſails to the Relief of his Subjects in* Guyenne, *but lands in* Normandy.

P. 518.

and relieve his Subjects in *Guyenne*, it was not possible for him to execute his Design, the contrary Winds having drove him back twice upon his own Coasts; and at last, seeing that he cou'd not pursue his Voyage to *Guyenne*, he resolv'd by the Advice of *Godfrey* of *Harcourt*, a *Norman* Lord who had fled to him for Refuge, to make a Descent into *Normandy*. Pursuant to this Resolution he caus'd his Troops to land at *La Hogue* in the *Coutantin*; and as *Philip*'s Forces were a great way off at that time, he had leisure to ravage *Normandy* without any Opposition, but from the Count *d'Eu*, Constable of *France*, who offering to stop his Progress with the Militia of the Country, was routed and taken Prisoner. After this *Edward* advanc'd to *Poissy*, from whence he sent a Challenge to *Philip* to fight him under the Walls of the *Louvre*. Upon the very first Advice of *Edward*'s landing, *Philip* us'd extraordinary Diligence to assemble an Army, which very soon amounted to above 100000 Men; and with this Army he form'd a Design to shut up the *English* between the *Seine* and the *Oyse*, in order to cut off their Retreat. *Edward* perceiving this at last, tho late, resolv'd to retire into the County of *Ponthieu*, but found great Difficulties in the Undertaking for want of a Passage over the *Soame*: However he was fortunate enough to discover and force the Pass of *Blanquetaque*, tho guarded by 12000 Men under the Command of *Gondemar du Fay*; and that very Night after he had pass'd his Army over the River, he went and encamp'd at *Cressy*, where he was resolv'd to stay for *Philip*, who next Day came up with him; and upon the 26th of *August*, 1346, happen'd the famous Battle

A. 1346.

Sends a Challenge to the King of France.

Edw. III. of *Creſſy*, where *Philip* was entirely routed, after the loſs of 30000 Men, 1200 Knights, the Earl of *Alencon* his Brother, the King of *Bohemia* his Ally, and 15 Princes, or Noblemen, of the greateſt Quality in the Kingdom. It may be ſaid that *Edward*'s eldeſt Son the Prince of *Wales*, who was but 15 Years of Age, gain'd this Victory, the King his Father ſtanding off at a diſtance with a Body of Reſerves, to have ſupported him in caſe of need, without offering to ſtrike a Blow, that he might not rob the Prince his Son of any part of the Glory. *

The Battel of Creſſy *won by* Edward *the* Black Prince.

AFTER

* MR. *Barnes*, who gives the Detail of this glorious Fight and complete Victory, mentions one or two Particulars which deſerve to be taken notice of in this place. He remarks it as a ſignal Inſtance of the Divine Favour to *Edward*'s Arms, that not one of the *Engliſh* Nobility fell in the Action, and that only three of their Knights and one Eſquire were kill'd. He ſays, that the *French* King brought with him from *St. Dennis* the great and holy Standard of *France*, which being by the *French* held as ſacred as if it came down from Heaven, was originally only us'd in the Wars againſt the Infidels: That *Philip*, being ſecure of the Victory, and reſolv'd to make an end of the War at one Blow, notify'd, by erecting this hallowed Banner in the Field of Battel, that all the *Engliſh* ſhou'd be put to the Sword, except only King *Edward* and his Son the Prince of *Wales*: And that King *Edward* hearing of this cruel Reſolution, caus'd alſo his Burning Dragon to be erected, which ſignify'd as little Mercy to be ſhew'd to *Frenchmen*. From hence our Author very judiciouſly apologizes for *Edward*'s keeping at a diſtance all the time of the Battel, becauſe if the Victory ſhou'd have declar'd againſt him all wou'd have been utterly loſt; and to thoſe Declarations our Author aſcribes it that ſo many of the *French* were put to the Sword, and not one of 'em taken Priſoner. Mr. *Barnes* adds, that in this Battel the Prince of *Wales* took and won the Arms of the King of *Bohemia* (being

AFTER this great Victory *Edward* caus'd *Calais* to be inveſted on the 5th of *September*, and continu'd the Siege eleven Months, ſo as that *Philip*, who advanc'd about the end of that Term at the Head of an Army of 150000 Men, cou'd not find an Opportunity to attack him in his Intrenchments, much leſs to bring him out to a pitch'd Battel. *A.* 1348. *Siege of Calais.*

IN 1347, while *Edward* was employ'd in the Siege of *Calais*, he receiv'd News that *David* King of *Scotland*, who had enter'd *England* with 60000 Men, was defeated and taken Priſoner. *David King of Scotland taken Priſoner.*

At length on the firſt of *Auguſt* 1347, *Edward* made himſelf Maſter of *Calais*, and turning out all the Inhabitants put an *Engliſh* Colony into the place. *Calais taken.*

TWO Months after the taking of *Calais*, the Pope's Legates mediated a Truce from the 28th of *September* to the end of *June* 1348; after which *Edward* return'd to *England* in Triumph. In this Truce as well as in the former it was agreed, that the two Kings ſhou'd ſend their Ambaſſadors to *Avignon*, there to negotiate a Peace in the preſence of the Pope as Mediator. But the ſame Difficulties which occurr'd before, with relation to the ſending of the *Engliſh* Ambaſſadors, ſtill ſubſiſting, there was a Neceſſity for frequent Prolongations of the Term fix'd for the Negotiation, and by conſequence the Truce was ſeveral times renew'd. *Pope mediates a Truce.*

A terrible Plague with which *France* was afflicted in 1348, and *England* in 1349, did undoubtedly *Plagues both in France and England.*

(being the Oſtrich Feathers with the Motto ICH DIEN, *i. e. I SERVE*) which have ever ſince been worn by all the Princes of *Wales*, eldeſt Sons to the Kings of *England*. He obſerves, that ever after this Victory the *French* call'd this Heroic Prince of *Wales*, *Edward le Noir*, or the *Black Prince*.

Edw. III. doubtedly contribute not a little to the cooling of the Paſſion of both Kings to renew the War, ſo that the Truce was prolong'd, time after time, to the 1ſt of *Auguſt* 1350.

Death of Philip *of* France.

KING *Philip* dying the 22d of that Month, his Succeſſor *John* was mightily for renewing the Truce, and found no great Difficulty in obtaining it, the Plague having made ſuch a Havock in *England*, that it had carry'd off almoſt half the People. Therefore the ſaid Truce was farther prolong'd to the 1ſt of *Auguſt* 1351. and a Treaty reſolv'd on. But as *Avignon* was too far diſtant from *England*, and *Edward* moreover not well pleas'd with the Pope, the two Kings agreed that a Peace ſhould be negotiated in ſome place which was nearer at hand to both. For this end they ſent their Ambaſſadors in 1351, the one to *Calais*, and the other to *Guiſnes*; and between thoſe two Towns Tents were erected, under which the Plenipotentiaries of both Parties confer'd together, in order to ſettle the Preliminaries of a good Peace.

A Treaty ſet on foot between the new King and Edward.

THE firſt thing they agreed upon was to prolong the Truce to the 12th of *September* 1352; but this being too ſhort a Term to adjuſt all the Differences, it was farther prolong'd to the 1ſt of *Auguſt* 1353, and finally to the 1ſt of *April* 1354.

DURING this laſt Prorogation King *John* ſeem'd inclinable at length to conclude a Peace on condition of yielding up *Guyenne*, and the Counties of *Artois* and *Guiſnes*, with the City and Territories of *Calais*, in full Sovereignty to *Edward*. This is very clear from the *Engliſh* Hiſtorians, tho *Mezeray* makes no mention of it. Mean time, as ſeveral Acts in this Volume of the *Fœdera* make it manifeſt, that *Edward* thought the Peace as good as made; and as

A material Omiſſion in the French *Hiſtorian* Mezeray.

as it is hardly to be ſuppos'd he wou'd have come into it without finding ſome Advantage in it; what the *Engliſh* Hiſtorians have advanc'd on this Point ſeems to be out of all manner of Diſpute. *A.* 1354.

NOTWITHSTANDING the Diſproportion there was between *Edward*'s firſt Pretenſions, and the Offers now made to him, he accepted the latter. There remain'd nothing to be done, but to conclude this Treaty in a ſolemn manner; for which end the two Kings thought they cou'd not do better than to get it confirm'd by the Pope, whom they empower'd to bind both of 'em by Eccleſiaſtical Cenſures to the Obſervation of the ſaid Treaty, and the ſame was to be ſign'd in his Preſence. Purſuant to theſe Conventions *Edward* ſent his Ambaſſadors to *Avignon* with very ample Powers, dated at *Weſtminſter* the 28th of *Auguſt* 1354, to ſign the Treaty, and to ſubmit himſelf to the Pope's Juriſdiction, with reſpect to the Obſervation of it. But the Proſpect of this Peace ſoon vaniſh'd, becauſe *John*'s Ambaſſadors refus'd to confirm before the Pope what had been agreed on between *Guiſnes* and *Calais*. *P.* 794.

THIS Refuſal occaſion'd a freſh Rupture: for notwithſtanding all the Pope's Inſtances with *Edward* to renew the Negotiation, he wou'd hear no more Talk of Peace; but having taken a Reſolution to begin the War again with Vigour, he gave the Government of *Guyenne* to his Son the Prince of *Wales*, and ſent him into that Province to ſtrike the firſt Blow, while himſelf made Preparations for a ſecond Invaſion of *France* elſewhere. *War with France breaks out again.*

THE Prince of *Wales*, then but 25 Years of Age, arriving in *Guyenne*, put himſelf at the Head of a ſmall Army, and therewith ravag'd *Languedoc*, *&c.* Edward *the* Black Prince *ravages* Langue-doc,

Edw. III. *Languedoc*, where he took *Carcaſſonne* and *Narbonne*, and carry'd off a great Booty, which he plac'd for Security in *Bourdeaux*. After having refreſh'd himſelf a little in that City, he ſet out from thence with an Army of 12000 Men, of whom only 3000 were Natives of *England*; travers'd the Countries of *Perigord* and *Limouſin*; and entring into *Berry*, went and ſhew'd himſelf at the Gates of *Bourges*, where he heard that King *John* was advancing at the Head of 60000 Men. This News obliging him to think of a Retreat, he was inclinable to take a Compaſs, and retire into *Guyenne* thro *Poictou*; but *John* made ſuch haſte that he came up with him at laſt at *Maupertuis* near *Poictiers*, where Prince *Edward* was oblig'd to intrench himſelf in a Poſt embaraſs'd with Vines and Hedges, which gave him great Advantage. Tho it had been eaſy for *John* to have ſtarv'd this little Army, ſhut up as it was in an Enemy's Country, yet his Impatience to be reveng'd for the Ravages which the *Engliſh* had committed in *France*, did not permit him to ſtay ſo long, and he reſolv'd to attack the Prince in his Intrenchments: but he had the Misfortune to be entirely defeated by this handful of *Engliſh*, and to fall himſelf into the Enemy's Hands, with his fourth Son *Philip* (afterwards call'd the *Hardy*) about 15 Years of Age, and a great many other Lords of the beſt Quality in the Kingdom *. In this Battel,

Battel of Poictiers.

* THIS Battel was fought the 19th of *September* 1356. the *French* had 50000 Horſe, and as many Foot; and the *Engliſh* but 8 or 9000 Men in all, according to the Report of the Lord *Riboumont*, who was ſent by King *John* to view Prince *Edward*'s Army before the Battel: And the *Engliſh* are ſaid to have taken more *French* Priſoners, than they had Men to guard 'em. Mr. *Barnes* gives an ample Account of the Battel, for which we have not room, but

Battel, which was ſo fatal to *France*, there were only 6000 *French* Men kill'd, but in that number were 800 Gentlemen, beſides the Duke of *Bourbon* Prince of the Blood, the Duke of *Athens* Conſtable of *France*, the Marſhal *de Neſle*, and above 50 other great Lords. After this glorious Victory the Prince of *Wales* quietly led his Priſoners to *Bourdeaux*, and ſent the great News to the King his Father, who order'd Thankſgivings to God for eight days together in all the Churches of *England*. With this Victory end the Acts of this Volume relating to *France*. We ſhall ſee what were the Conſequences of this famous Battel, in our Account of the next Volume. A. 1331.

but cannot omit an Obſervation of his upon the Sur-name of this *French* King's young Son and Fellow Priſoner *Philip*, which moſt Authors have deriv'd from his Courage and Valour in War; but Mr. *Barnes* thinks this the moſt probable Account of any that he had ſeen, *viz.* That when his Father, then a Priſoner in *England*, was dining one Day with King *Edward* at his Table, this young Prince *Philip* was with others of the *French* Nobility appointed to wait; and that a young Nobleman of *England*, who likewiſe attended, ſerving King *Edward* firſt, and then King *John*, this *Philip* gave him a Box o'th' Ear, ſaying, *What, dare you ſerve the King of* England *firſt when the King of* France *is at the Table?* The offended Nobleman thereupon drew his Dagger, but King *Edward* forbad him to ſtrike; and commending the noble Spirit of the young Prince, ſaid to him in *French*, *Vous eſtes Philippe le Hardi*, i. e. *Thou art* Philip *the* Hardy, *or* Bold.

WHAT we have hitherto given is in general the Subject of the Acts of the fifth Volume which relate to France. *'Tis time now to glance over the moſt important of them; and as it is not poſſible to mention all without running into too great a length, we ſhall only point out ſome of them, and inſiſt upon none but ſuch as may ſerve to illuſtrate any Paſſage of the* Engliſh *Hiſtory. And for the Reader's Conveniency we ſhall range them according to the Dates of the Years, that in caſe of need he may have recourſe to what is mention'd in the foregoing Account under thoſe Years.*

An Account of the Acts in the fifth Volume of the Fœdera, *relating to the Affairs with* France.

Truce with France. *P.* 2.

1. A Prorogation to the 24th of *June* 1338, of the Truce which *Edward* had granted to *France* at the Inſtance of the Pope's Legates, to the Feſtival of *Eaſter*, dated at *Weſtminſter February* 24, 1338 *.

Edward's Letter to the Emperor, for granting the Title of King to the Dauphin of Vienna. *P.* 10.

2. *EDWARD*'s Letter to the Emperor, praying him to grant the Title of King to the Dauphin of *Vienna*, dated at *Weſtminſter March* 3, 1338. Probably the Dauphin had promis'd upon this Condition to engage in *Edward*'s Cauſe.

His Letter to the two Archbiſhops, deſiring their Prayers, &c. P. 20.

3. A Letter from *Edward* to the Archbiſhops of *Canterbury* and *York*, deſiring the Fa-

* It may be a Queſtion which is moſt chargeable, ſuch kind of Truces, or ſome Campaigns? for Mr. *Barnes* ſays, that theſe Chriſtian Peacemakers coſt the Church of *England* 50 Marks a Day all the time they ſtay'd here, which was from the middle of *December* 1337, to the 21ſt of *March* following.

vour

vour of their Prayers; and that they wou'd excuſe him to his People on account of the great Taxes which he was oblig'd to lay upon them *, dated at *Berwick* upon *Tweed*, *March* 28, 1338. *A.* 1338.

4. AN Order for the Inhabitants of the Iſle of *Wight* to take Arms againſt a Deſcent then threaten'd by the *French* Fleet, dated *April* 15, 1338. at *Havering Bower* in *Eſſex*. 'Tis likely that this gave occaſion to the following Act, *viz.* *Edward's Order for the Defence of the Iſle of* Wight. *P.* 24.

5. A REPEAL of the Suſpenſion granted to *France*, becauſe *Philip* firſt began Hoſtilities; dated at the Tower of *London May* 6, 1338 †. *His Repeal of the Suſpenſion with* France. *P.* 35.

* WHAT theſe Taxes were we may partly gueſs by the Account which Mr. *Barnes* gives, who tells us that the Laiety granted to the King the one half of their Wools throughout the whole Realm for the next Summer, which he receiv'd graciouſly; and of the Clergy he alſo levied the whole, cauſing them to pay nine Marks of every Sack of the beſt Wool; but after the rate of one half he took, in whoſe Hands ſoever it was found, as well Merchants as others, according to the foreſaid Grant: So that of the Abbey of *Leiceſter* only, as *Knighton*, one of that Houſe, witneſſes, he had no leſs than 18 Sacks. After this he took a Fifteenth of all the Commonalty of his Realm in Wool, the Price of every Stone, rated at 14 Pounds *per* Stone, at two Shillings. And yet in *November* laſt he had ſent the Biſhop of *Lincoln*, and the Earls of *Northampton* and *Suffolk* with 10000 Sacks of Wool into *Brabant* to make Retainers in *High-Germany*; and there at the ſame time they ſold all their Wool, every Sack for 40 *l.* which amounted in all to 400000 *l.* Beſides all this, he is ſaid about this time to have ſeiz'd on the Wealth of the *Cluniacks* and *Ciſtercians*, Aliens, and of the *Lombards*, and all the Triennial Tythes, which were firſt intended for the Holy War.

† MR. *Barnes* ſays, that immediately upon this, *Edward* ſeeing that the *French* King refus'd to give Security for obſerving the Truce inviolably, not only revok'd the latter Prorogation of it, but ſet out for *Flanders*, there to confer perſonally with his Allies in purſuance of his Deſigns againſt *France*.

6. THE

Edw. III.

Edward's *Treaty with the* Flemings. *P.* 55.

6. THE Treaty between King *Edward* and the Provinces and Towns of *Flanders*, dated at *Antwerp* the *Wedneſday* after Trinity, 1331.—— In this Treaty the *Flemings* only engag'd themſelves to obſerve an exact Neutrality between the two Kings; but the Date of it ſo far back as the Year 1331 is remarkable, becauſe it is a Proof that even at that time *Edward* had form'd a Deſign to recover the Crown from *Philip*; as I have already obſerv'd. Tho it was ſcarce two Years that he had perform'd his Homage to *Philip*, and had not hitherto made any Diſcovery of his Pretenſions; yet in this Act he calls *Philip* the *Pretended King of* France. This Treaty was not ratify'd by *Edward* till the 26th of *June* 1338, at *Walton*.

His Ratification of it. *P.* 59.

His full Powers to treat with Philip. *P.* 56.

7. HIS full Powers to the Archbiſhop of *Canterbury* and others to treat with *Philip de Valois*, in one of which he only ſtyles him *Conſanguineum noſtrum Franciæ*, i. e. *Our Couſin of* France, without giving him the Title of King; and in the other, the moſt excellent Prince and illuſtrious Lord *Philip* King of *France*, dated at *Weſtminſter* and at *Walton*, the 21ſt of *June* 1338.

Letter to the Emperor. *P.* 59.

8. HIS Letter to the Emperor, acquainting him that he was juſt ready to embark for the *Netherlands*, dated *June* the 21ſt 1338, at *Walton*.

9. A MEMORANDUM of the Day of his going on board, *viz.* the 16th of *July* 1338 *.

A Recal of the full Powers, in which Philip *is ſtyl'd King of* France. *P.* 66.

10. A RECAL of all the full Powers in which *Philip* of *Valois* is ſtyl'd King of *France*, dated at *Antwerp July* the 22d 1338.

* HE went with a Royal Navy of 500 Sail, and many great Lords of *England* in his Company, who are mention'd by Mr. *Barnes*.

IN

A. 1338.

IN a few Days after *Edward* ſet out for *Cologn*, where the Emperor gave him the Style and Title of Vicar General of the Empire. I am ſurpriz'd that this Charter is not to be met with in the *Fœdera* †.

The Emperor makes Edward *Vicar General of the Empire.*

II. A BRIEF or Letter from Pope *Benedict* XII. in which he reproaches *Edward* for his Alliance with *Lewis* of *Bavaria*, ſtyling himſelf Emperor, then under Excommunication; and excuſes himſelf for granting the Tenths to *Philip*, pretending he had no View to

Pope's Letter to Edward, *upbraiding him for his Alliance with the excommunicated Emperor.* P. 88.

† MR. *Barnes* gives the Oath ſworn to *Edward*, next Day, by the Emperor and all his Barons, *viz.* 'That they 'wou'd help him againſt the 'King of *France* and all his 'Adherents, both to live 'and die with him for ſeven 'Years, if the War ſhou'd 'continue ſo long. That 'all the Barons of *Almaine*, 'from *Cologn* and on this 'ſide, ſhou'd immediately 'enter the King of *England*'s 'Service, and be always 'ready to come unto him 'as often as ſummon'd a-'gainſt the King of *France*, 'as well where the King of '*England* ſhou'd be in Per-'ſon, as to any other place 'to which he ſhou'd aſſign 'them. And that if any of 'the ſaid Lords ſhou'd re-'fuſe to obey the ſaid King 'of *England* in the Premi-'ſes, then all the other 'Lords of *High-Germany* 'ſhou'd riſe in Arms againſt 'that Man till they had de-'ſtroy'd him.

MR. *Barnes* ſays that King *Edward* held a Parliament about *November* the 11th in *Brabant*, where being deck'd in his Royal Robes, with a Crown of Gold on his Head, and ſeated on a ſtately Throne five foot higher than any other, the Emperor's Charter was then and there openly read, declaring, 'That King *Ed-'ward* of *England* was made 'Vicar General, or Lieu-'tenant for the Emperor, 'and as ſuch had full Power 'to make Laws, and to ad-'miniſter Juſtice to every 'Perſon in the Emperor's 'Name, and to coin Money 'both Gold and Silver at his 'pleaſure with his own 'Stamp and Inſcription. It 'was alſo therein command-'ed, that the Lords, and o-'ther Subjects of the Em-'pire, ſhou'd yield Obe-'dience and pay Homage to 'the King of *England*, his 'Vicar, as to himſelf.

ſupport

Edw. III. support him againſt *Edward*, but againſt the *Germans* only, who threaten'd *France* with an Invaſion. For a Proof of this he is pleaſed to quote the very Terms of his Grant; as if the Expreſſions of it could poſſibly weaken the Force of the Supply againſt *Edward*. This Letter is dated at *Avignon*, the Ides of *November*, 1338.

Edward forbids to give Philip the Title of King of France. *P.* 93.

12. A PROHIBITION to the *Engliſh* Plenipotentiaries to give *Philip de Valois* the Title of King of *France*. Dated at *Antwerp*, *Nov.* 16, 1338.

His full Powers to treat with Philip. *P.* 92, 95.

13. HIS full Powers to the ſaid Ambaſſadors to treat with *Philip*, whom he only ſtiles *Philippum de Valeſio, conſanguineum noſtrum, i. e. Philip* of *Valois*, our Couſin: Dated at *Antwerp*, *Nov.* 15, 1338. And at the Pope's Requeſt the King granted new Powers to his ſaid Ambaſſadors, immediately after, at the end of which is this Memorandum, *Iidem archiepiſcopus, epiſcopi, & alii ſupraſcripti, habent conſimile procuratorium ad tractandum cum excellentiſſimo principe domino Philippo rege Franciæ illuſtri. i. e.* The ſaid Archbiſhop, Biſhops, and others above-mention'd, have the like full Powers to treat with the *moſt excellent* Prince and Lord, *Philip*, the *Illuſtrious King* of *France*. —— Probably this was a Form to be made uſe of, in caſe they ſhould happen to agree upon Articles of Peace. This ſhews at the ſame time, that *Edward* would then have been contented with leſs than the Crown of *France*.

He excuſes the Earl of Hainault from giving the Empire Succours. *P.* 122.

14. *EDWARD*'s Letters Patent, whereby he declares, in quality of Vicar of the Empire, that the Earl of *Hainault* is not oblig'd to furniſh it with any Succours; dated at *Bruſſels*, *Auguſt* 20, 1339.

15. AN

15. AN Order dated at *Markoyn* (*Marchienne*) *infra marchiam Franciæ*, the 26th of *September*, 1339. for remitting ſmall Debts owing to the Crown.

A. 1339. *He remits ſmall Debts owing to the Crown. P.* 124.

16. HIS Promiſe to the Marquis of *Juliers*, to make him a Peer of *England*, dated at *Antwerp*, *Nov.* 28, 1339. which was upon his Return from the Campaign.

Promiſes to make the M. of Juliers *an* Engliſh *Peer. P.* 139.

17. A BULL of *Benedict* XII. wherein he offers to be Mediator between the two Kings of *France* and *England*, dated at *Avignon*, the 10th of the Calends of *January*, 1339.

Pope offers to mediate between England *and* France. *P.* 146.

18. A FULL Power to treat with the *Flemings*, who had reſolved to enter into the League againſt *France*; dated at *Antwerp*, *January* 4, 1340. In purſuance hereof a Treaty was made with the *Flemings*, by which they engag'd to enter into the League, on condition that *Edward* ſhould take the Title of King of *France*. The Treaty is not printed in the *Fœdera*, but there is the Ratification of it, dated at *Ghent*, the 28th of *January*, 1340. *

Edward's *full Powers to treat with the* Flemings. *P.* 153. *Treaty ratify'd. P.* 155.

19. *ED-*

* IT was part of the Convention, according to our truſty Hiſtorian Mr. *Barnes*, that *Edward* ſhould take upon him the Arms as well as Title of King of *France*, which he did, and thereupon receiv'd the Homage of the *Flemings*. Our Author ſhews, that tho this Prince afterwards, perhaps to gratify the *French* Nation, or becauſe that was the more ancient and greater Monarchy, plac'd the *Flowers de Lis*, in the dexter and more honourable Quarter, yet it was not ſo at their firſt intermingling. And he confirms his Opinion from what King *Philip* ſaid upon this occaſion to ſome *Engliſh* Agents employ'd at his Coutt. 'Our 'Couſin, ſays he, doth wrong-'fully quarter the Arms of 'England and *France*, which 'notwithſtanding doth not 'ſo much diſpleaſe us, be-'cauſe indeed he is deſcend-'ed (tho by the weaker 'Sex) of our Kin; and there-'fore as being a Batchelor, 'we cou'd eaſily be content 'to allow him part of the 'Arms

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Edw. III. 19. *EDWARD*'s Anſwer to a Letter from the Pope, beginning *Sanctiſſimo, &c. Edwardus rex Franciæ & Angliæ, &c.* and dated at *Ghent*, the 30th of *January*, 1340.

His Anſwer to the Pope's Letter. *P.* 156.

It appears by this Anſwer, that tho *Edward* pretended a Right to the whole Kingdom of *France*, he would have been contented with a great deal leſs, if *Philip* could have prevail'd on himſelf to have made him any Offers. *Pro certo tamen, de voluntate tamen partis adverſæ, nec per dictos Cardinales, nec per alios huc uſque ſcire nequivimus, quod idem Philippus nobis quidquam facere voluerit, vel offerre. Et re vera ſi nobis oblationem etiam mediocrem, tunc feciſſet, ad vitandum guerrarum diſcrimina, & expenſarum profluvia, ſuper ea reſponſionem rationabilem feciſſemus. Sed jam non vidimus quid per viam pacis ulterius cum honore noſtro facere valeamus. i. e.* Nevetherleſs, certain it is, that thro' the Humour of the adverſe Party, we could never know by the ſaid Cardinals, nor any others, to this Day, that the ſaid *Philip* had any Inclination to tranſact any thing with

' Arms of *France*; but where-
' as in his Seals and Letters
' Patent, he ſtyles himſelf K.
' of *England*, and of *France*
' in the one, and ſets the
' Quarter of his Arms with
' Leopards, before the Quar-
' ter charg'd with Lillies,
' in the other, this is that
' which we diſdain exceed-
' ingly; for thereby it ſhou'd
' ſeem he prefers that incon-
' ſiderable Iſle of *England*,
' before the mighty King-
' dom of *France*.' To this Complaint, Sir *John Shoreditch* made Anſwer, ' That
' it was the Cuſtom of *Eng-*
' *land* to ſet the Title and
' Arms of their Progenitors
' before thoſe of a Right
' deriv'd from the Mother.
' And thus, *ſaid he*, doth my
' Lord the King of *England*
' prefer his paternal Coat,
' both out of Duty and Rea-
' ſon.' But it appears they were alter'd ſoon after, even as they ſtand now, only that when *Charles* VI. of *France*, with deſign to ſhew a difference, chang'd the *Semee Flowers-de-Lis* into Three, our King *Henry* V. alſo did the like, and ſo it hath continu'd ever ſince.

us,

us, or to make us any Offer. And indeed, if he had at that time made us a ſmall Offer, we ſhould, for avoiding the Hazards and Expences of a War, have returned a reaſonable Anſwer. But now we don't ſee what we can do farther in a way of Peace, conſiſtent with our Honour. *A.* 1340.

20. AN Order to pay a certain Sum of Money to *Nichol. de Fliſco*, who went to *Avignon* upon the King's Buſineſs; dated at *Ghent*, *Jan.* 30, 1340. in the firſt Year of our Reign as King of *France*, and the fourteenth as King of *England*. *Order for payment of Money to* Nich. de Fliſco. *P.* 156.

21. KING *Edward's* Declaration to the *French*, notifying that the *Flemings* had recogniz'd him for King of *France*, and inviting them to follow their Example; dated at *Ghent*, *Feb.* 6, 1340. In this Declaration he ſaid, That he might not be thought to neglect the Favours of God, and that he might conform himſelf to his Will and Pleaſure, he had reſolved to take upon him the Government of the Kingdom of *France*, which was devolv'd to him by the Death of *Charles the Fair*, and which, during his Minority, *Philip* had ſeiz'd unjuſtly, and with Violence. He alſo promis'd to govern the ſaid Realm according to the Laws and Cuſtoms in uſe at the time of his Predeceſſor St. *Louis*. Edward's *Declaration, inviting the* French *to own him their King.* *P.* 158.

22. ANOTHER Declaration ſetting forth all the Overtures and Advances he had made from time to time to *Philip*, and the ſeveral Injuries he had received from him. Dated as above. *Declaration of* Philip's *ill Returns to* Edward's *Advances.* *P.* 160.

23. A MEMORANDUM of the Day of *Edward's* Return to *England*, *viz.* the 21ſt of *February*, 1340. *Day of his Return to* England. *P.* 174.

24. A LETTER to the Archbiſhop of *Canterbury*, ſummoning him to come to the Parliament, and about his taking the new Title of King of *France*,

Edw. III. *France*, dated at *Harwich*, the 21ſt of *February*, as aforeſaid. *Non mirantes ex hoc quod ſtylum noſtrum conſuetum mutavimus, & regem Franciæ nos facimus nominari; nam diverſæ ſubſunt cauſæ, per quas hoc facere neceſſario nos oportet, & quas vobis, ac aliis prælatis & magnatibus, necnon communitatibus ejuſdem regni Angliæ, ad dictum parlamentum plenius exponemus, &c. i. e.* Wonder not that we have alter'd our uſual Style, and that we have taken the Title of King of *France*; for various are the Reaſons for which it neceſſarily behov'd us to do it, and which we ſhall explain more at large to you and the other Lords Spiritual and Temporal, and alſo to the Commons of our ſaid Realm of *England*, at the ſaid Parliament.

Letter to the Archbiſhop of Canterbury, *requiring his Preſence in Parliament, to hear the Reaſons of his taking the Style and Title of* France. *P.* 174.

Pope's Letter, diſſuading him from uſing that Title. P. 173.

25. A Letter from *Benedict* XII. exhorting *Edward* to quit the Title of King of *France*; dated at *Avignon*, the third of the Nones of *March*, 1340. *Nuper excellentiæ regis literis*, ſays the Pope, *noſtro apoſtolatui præſentatis, & contentis in ipſis plenius intellectis, novus in eis deſcriptus titulus, & impreſſio ſigilli Franciæ armis & Angliæ ſculpti, ut prima facie videbatur, ſtuporis & admirationis magnam nobis materiam miniſtrarunt. i. e.* Upon certain of your Excellency's Letters lately preſented to our Apoſtleſhip, and upon fuller Diſcovery of the Contents thereof, the new Title deſcribed in it, and the Impreſſion of the Seal engraved with the Arms of *France* and *England*, no ſooner appeared to our View, but it gave us great Cauſe of Aſtoniſhment and Admiration.—— In the remaining Part of the Letter the Pope endeavours by all the Arguments that he could think of, to perſuade the King to lay aſide that Title.

M. of Juliers's *Peerage and Penſion. P.* 184.

26. The King's Patent for creating *William* Marquis of *Juliers*, a Peer of *England*, by the

Style and Title of Earl of *Cambridge*, with a Penſion of 1000 *l. per Annum*: Dated at *Weſtminſter*, *May* 12, 1340.* *A.* 1340.

IT appears from ſeveral Acts in this Volume, that *Edward* had pledg'd his Hereditary Crown, which he calls *Hæreditariam & præcellentiorem*, to the Archbiſhop of *Triers*, for 50000 Florins. The Convention for this purpoſe is dated the laſt Day of *February*, 1338. He alſo pledged his Queen's Crown, and another leſſer, to ſome Merchants at *Cologn*, as appears by Letters of Pledge and Redemption, dated at *Weſtminſter*, the 17th of *May*, 1340, the 10th of *March*, 1344, and the 10th of *April*, 1345. *K.* Edward *pawns his Crowns.* *P.* 101, 185, 409, 447.

27. *EDWARD*'s Letter to the Pope, complaining that *Nicol. de Fliſco*, his Envoy, was carry'd away by Night from *Avignon* into *France*. 'Tis dated at *Clare*, the 1ſt of *June*, 1340. He demands Satisfaction for this Affront, and tells the Pope in plain Terms, that he cannot expect to have any Ambaſſadors from him, till he has done him Juſtice for that Violation of the Law of Nations †. *His Letter to the Pope, complaining of his Envoy's being carry'd into France.* *P.* 188.

28. *ED-*

* HERE Mr. *Barnes* obſerves a miſtake of the Learned Antiquary Mr. *Camden*, who ſays in his *Britannia*, that King *Edward* III. for the Love he bore to Queen *Philippa* his Conſort, created the Lord *John* of *Hainault* her Uncle, Earl of *Cambridge*: and that upon his Revolt to the *French* he diveſted him thereof, and conferr'd it upon *William* Marquis of *Juliers*, Siſter's Son to that Queen: whereas the Truth is, that the ſaid Lord *John* was not now, nor for ſome Years after, revolted to the *French*, as is alſo own'd by the diligent and accurate Sir *William Dugdale*.

† MR. *Barnes* ſays, that while *Nichol. de Fleſco*, and his Son *Andrew* were at *Avignon*, under the Pope's Protection, certain wicked Perſons, to curry Favour with the King of *France*, about Midnight, on Good Friday Eve, enter'd his Houſe by Violence, broke open his Chamber, and hardly giving

Edw. III.

His Letter to his Parliament about his Victory at Sea, and the March of his Forces by Land. P. 197.

28. *EDWARD*'s Letter to his Parliament, acquainting them with the Victory he had gain'd at Sea. 'Tis dated at *Bruges* the 9th of *July* 1340. He alſo gave them Advice that he was marching to *Tournay* with 100000 Men, and that *Robert* of *Artois* was advancing at the ſame time to *St. Omer* with 50000.

A Miſtake of Mezeray *in relation to* Philip's *Anſwer to King* Edward's *Challenge.*

MEZERAY ſpeaking of the Charter of Defiance which *Edward* ſent to King *Philip*, ſays, that the latter return'd only an Anſwer by word of Mouth, that a Sovereign never accepts any Challenge from his Vaſſal. But that was not *Philip*'s Anſwer *. Here follow both the Charter, and the Anſwer.

him time to put on one thin Garment, hurry'd him and his Son, and one young Gentleman away; and carryed them down the *Rhoſne* to a certain Tower, from whence they convey'd them into *France*. For which injury, the Pope not only thundred out the moſt heavy Edicts againſt the Authors and Accomplices of that Crime, but put the whole Kingdom of *France* under an Interdict; which obliged *Philip* to ſend the Priſoners back to the Pope, who then took off the Interdict, and hang'd all thoſe of his own Family, who had a hand in the Matter, before the Doors of the Houſe which they had broken open, not excepting his own Maſter of the Horſe (who kill'd himſelf in Priſon for Anguiſh and Shame) whoſe Body he order'd to be expos'd on a Gibbet, to be devour'd by the Birds of the Air.

* Mr. *Barnes*, who charges both *Mezeray* and *du Cheſne* with this Abſurdity, thus confutes it. 'How know they, 'ſays he, what King *Philip* 'ſent by Word of Mouth? 'And how could King *Philip* 'imagine that his Word 'ſhould be taken in a mat'ter of ſuch conſequence, 'when all Challenges ought 'to be confirm'd by Hand 'and Seal, unleſs made in 'the hearing of the Defen'dant? And how was not 'this an Anſwer to King '*Edward's* Challenge, when 'as King *Philip* in his Let'ter profeſſes he would not 'anſwer him, becauſe he 'took not the Letter to be 'directed to him?' Truth needs no ſuch pitiful Salvo.

29. *PHILIP*

29. *PHILIP* of *VALOIS*, *A.* 1338.

Edward's *Challenge* to Philip *of* Valois. *P.* 198.

'WE have long and often, peaceably demanded of you by our Ambaſſadors, and otherwiſe, in the moſt reaſonable manner we could deviſe, that you would pleaſe to reſtore unto us our lawful Inheritance of *France*, which you have a long time detain'd from us, and wrongfully poſſeſs'd. And whereas we plainly ſee that you intend to perſevere in your injurious Detention thereof, without returning us any ſatisfactory Anſwer to our Demand; we give you to underſtand, that we are enter'd into the Province of *Flanders* as ſovereign Lord thereof, and are now paſſing thro' the Country.

'AND we farther ſignify to you, that by the Help of our Lord Jeſus Chriſt, and our righteous Cauſe, with the Forces of the ſaid Country, and with our Subjects and Allies; conſidering the Right we have to that Inheritance you wrongfully detain from us,

'WE are now approaching towards you, to make a quick Deciſion of this our rightful Challenge, if you alſo will draw near.

'AND foraſmuch as ſo great an Army as we bring with us on our part, ſuppoſing you alſo on your part to do the like, cannot ſubſiſt long in the Field without great Deſtruction, both of the People and Country; which thing all good Chriſtians ought to avoid, eſpecially Princes, and others who are the Governours of the People: We are deſirous that,

'BY as ſhort a Diſpatch as may be, and to prevent the Mortality of Chriſtians, ſince

Edw. III. 'the Quarrel apparently belongs to you and 'me,

'THAT the Controverſy between us may be 'decided by our own Perſons, Body to Body; 'to which thing we offer our ſelves, for the 'reaſons aforeſaid, and according to the good 'Opinion we have of your great Nobility, 'Senſe and Wiſdom.

'AND in caſe you ſhall not vouchſafe this 'way; that then, the Diſputes may be ended 'by the Battel of one Hundred of the moſt 'ſufficient Perſons of your Party, and as many 'of my Liege Subjects.

'AND if you will not admit, either of the 'one or of the other way; then that you will 'aſſign unto us a certain Day, before the City 'of *Tournay*, to combat both of us, Power a-'gainſt Power, within ten Days next after the 'Date of this our Letter.

'AND we would have all the World to know 'that we offer you the Conditions above men-'tion'd, not out of any Pride or Malice, but 'for the Cauſes aforeſaid, to the intent that 'the Will of our Lord Jeſus Chriſt being de-'clar'd between us two, Peace may grow more 'and more among Chriſtians; and that thereby 'the Enemys of God may be reſiſted, and 'Chriſtianity enfranchis'd.

'AND which ſoever of our ſaid Offers you 'will chuſe, pleaſe to ſend a ſpeedy Anſwer 'by the Bearer of theſe Preſents.

'GIVEN under our Privy Seal, at *Chyn*, in 'the Fields of *Tournay*, the 26th Day of *July*, 'in the firſt Year of our Reign as King of '*France*, and the 14th as King of *England*.

30. *PHILIP*'s

A. 1340.

30. *PHILIP*'s Anſwer.

'*PHILIP* by the Grace of God, King of *France*, to *Edward* King of *England*. We have 'ſeen your Letters brought to our Court, and 'ſent on your part to one *Philip* of *Valois*; 'wherein are contain'd certain Requeſts which 'you make to the ſaid *Philip* of *Valois*. P. 199.

'AND,

'BECAUSE the ſaid Letters came not unto 'us, and the ſaid Requeſts were not made unto 'us, as it clearly appears by the Tenour of the 'ſaid Letters;

'WE do not return you any Anſwer to the 'Premiſes: Nevertheleſs, foraſmuch as we have 'underſtood by the ſaid Letters, and otherwiſe, 'that you are enter'd into our Kingdom, and 'have invaded our People, more thro' Preſumption than Reaſon; and not conſidering the 'Duty which a Liege Man oweth unto his 'Lord:

'FOR you are enter'd contrary to your Liege 'Homage, when you acknowledg'd our ſelf, 'as Reaſon is, King of *France*, and promis'd 'the faithful Obedience, which a Liege Man 'ought to promiſe to his Lord; as more plainly 'doth appear from your Letters Patent, ſeal'd 'with your Great Seal, which we have in our 'Cuſtody, and which you ought to have always 'before your Eyes.

'OUR Intention is, as ſoon as we think fit, 'to drive you out of our Kingdom, for the 'Honour of us, and our Realm, and the Profit 'of our People: And this to do, we have firm 'Hope in Jeſus Chriſt, from whom we derive 'all our Power.

Edw. III.

'FOR by your Enterprize, proceeding more 'from Preſumption than Reaſon, the Holy 'Voyage beyond Sea hath been hinder'd, a 'great number of Chriſtians put to Death, the 'Divine Service diminiſh'd, and Holy Church 'leſs reverenc'd.

'AND as touching that which is noted, that 'you expect to be aſſiſted by the *Flemings*; 'we firmly truſt that the good People and Com-'mons of that Country, will ſo behave towards 'our Couſin, the Earl of *Flanders* their Lord, 'that it may not be to their Diſhonour: and 'that to us, their Sovereign Lord, they will 'preſerve their Honour and Loyalty.

'AND as for what Miſtakes they have hither-'to committed, that has been occaſion'd by 'the evil Counſels of ſuch Perſons, who nei-'ther had any Regard to the publick Welfare, 'nor to the Honour of their Country, but only 'to their own private Advantage.

'GIVEN in the Fields, near the Priory of 'St. *Andrew*, under our Privy Seal, in the Ab-'ſence of our Great Seal, the 30th Day of 'July, in the Year of our Lord 1340.

A Truce between the two Kings. P. 205.

31. A TRUCE concluded between the two Kings, from the 25th of *September* 1340. to the 24th of *June* 1341. It was ſign'd on the Day aforeſaid, in the Church of *Eſpechin* or *Spetelin*.

Day of Edward's *Return to* England. P. 216.

32. A Memorandum of the Day of *Edward*'s Return to *England*, which was the 30th of *November* 1340 *.

His Letters of Complaint to the Pope and Engliſh *Biſhops againſt the* ABp. *of* Canterb. P. 225, 236, 240.

33. SEVERAL Letters from *Edward* to the Biſhops of *England*, and to the *Pope*; ſignifying his Grounds of Complaint againſt the Arch-

* HE came over privately, and landed at the Tower, at one a Clock in the Morning, to prevent any Rumour.

biſhop

biſhop of *Canterbury*, and that Prelate's Miſde- *A.* 1341.
meanours: One is directed to the Biſhops of *London*, *Chicheſter*, *Worceſter*, *Salisbury*, *Bath* and *Wells*, *Exeter*, *Norwich*, &c. and dated at *Langley*, the 10th of *February*, 1341. That to the *Pope*, is dated there the 14th of *March*: and there's a third to the Biſhop of *London*, dated from the Tower of *London* the 31ſt ditto †.

34. A LETTER from the Emperor, wherein he offers himſelf to be Mediator between the two Kings; and ſays, that *Philip* has already accepted his Mediation. He excuſes himſelf for coming to an Accommodation with the King of *France*; pretends to be diſpleas'd with *Edward* for making a Truce without his Privity; and in ſhort, revokes the Charter, whereby he conſtituted *Edward* Vicar of the Empire: It is dated at *Frankfort* the 25th of *June*, 1341. *The Emperor's Defection from* Edward, *and Revocation of his Vicarſhip.* *P.* 262.

35. *EDWARD*'s Anſwer to the Letter aforeſaid, wherein he begs the Emperor's excuſe for not accepting his Mediation, his Pre- Edward's *Anſwer to it.* *P.* 264.

† THE Archbiſhop being by chance gone from *Lambeth* when the King came home, heard of his Majeſty's Indignation, and wiſely kept out of the way till the Storm was over. Mr. *Barnes* accuſes him of being as cold at laſt in the Affair of the War with *France*, by the Pope's Threats and Perſuaſions, as he was at firſt a great Promoter of it. He had govern'd the Realm, during the King's Abſence in *Flanders*; and when an account was demanded of him, he guarded himſelf after the manner of thoſe Times, by publiſhing Articles of Excommunication with the then dreadful Ceremony of Bell, Book and Candle, againſt all that ſhould lay violent Hands on the Perſons and Goods of the Clergy; the Bells ringing dolefully all the while, and the Candles being ſuddenly extinguiſh'd with a Stench. The Reader may ſee a particular State of the Archbiſhop's Caſe, and his Defence, in *Barnes*'s Hiſtory, where we find that upon his Submiſſion he was fully pardon'd, and receiv'd to Favour.

Edw. III. tenſions being ſo clear, that he was not willing to refer them to doubtful Arbitration. And as to the Truce, he deſires him to remember, that according to their Conventions, he was authoriz'd to make a Truce when he thought fit, tho not a final Treaty of Peace. He adds, that he admires at the Revocation of his Charter; becauſe according to their Treaty he was to enjoy the Title of Vicar, till he was in peaceable poſſeſſion of the Kingdom of *France*, or the beſt part of it: 'Tis dated the 14th of *July*, 1341. at *Weſtminſter*.

Prolongation of the Truce with France. *P.* 281.

36. A PROLONGATION of the Truce to the 24th of *June*, 1342. It is dated at *Weſtminſter*, the 27th of *September*, 1341.

Edward's *Grant to* John *of* Montfort. *P.* 280.

37. A GRANT of the Earldom of *Richmond* in *England*, to *John* Earl of *Montfort*, to make him amends for his Earldom of *Montfort*, which was confiſcated by the *French* King. It appears by this Act, which is dated at *Weſtminſter* the 24th of *September* 1341. that there had been a Treaty of Alliance betwixt *Edward* and the ſaid Earl.

His Commiſſion to Walter de Manny *to take poſſeſſion of* Brittany. *P.* 301.

38. A COMMISSION to *Walter de Manny*, to take poſſeſſion in the King's Name, of the Towns *&c.* in *Brittany*: It is dated at *Weſtminſter* the 10th of *March* 1342. This was after the taking of *John* of *Montfort*, and by virtue of a new Treaty with *Margaret* his Wife.

And to E. Northampton. *P.* 304.

39. AN Order for the Earl of *Northampton*'s paſſage into *Brittany*: Dated at *Eltham* the 27th ditto.

His Letter about the new Pope. P. 314.

40. A LETTER concerning the Election of Pope *Clement* VI. Dated the 22*d* of *May* 1342. at *Weſtminſter*.

Robert *of* Artois *goes for* Brittany. *P.* 326.

41. AN Order to make Proviſion for the Paſſage of *Robert* of *Artois* into *Brittany*: Dated at the Tower of *London*, *July* 3, 1342.

42. THE

42. THE King's Letters Patent, conſtituting the Earl of *Northampton* his Lieutenant in *France* and *Bretagne*; and giving him a Power to confer Titles and Honours in the Kingdom of *France*: Dated at *Windſor*, *July* 20, and 22, 1342.

43. *EDWARD*'s Letter to one of the Legates, complaining of *Philip*'s having broke the Truce, by Hoſtilities on the Sea, and in *Guienne*; dated at the Tower of *London* the 8th of *Auguſt* following.

44. A MEMORANDUM of the Day of the King's Departure for *Bretagne*, viz. *October* 4, 1342.

45. SEVERAL Acts, dated from *Roſere* in *Bretagne*, *November* 12, 1342.

46. AN Order to the Sheriffs of *England*, to proclaim a Truce till *Michaelmas*, 1346. Dated at *London* the 20th of *February* 1343.

47. A MEMORANDUM of the Day of the King's Return to *England*, viz. *March* 2, 1343.

48. A BRIEF of *Clement* VI. wherein he acquaints the King that according to the Conventions of the Truce, *Philip* has promis'd to ſend his Ambaſſadors to *Avignon*, and deſiring *Edward* to ſend his thither alſo. He tells him moreover, that *Philip* has offer'd to ſet *John* of *Montfort* at Liberty, provided he give ſecurity for his Return, but that the ſaid Earl had not yet been able to find any: 'Tis dated at *Avignon* the 14th of the Calends of *June* 1343.

49. *EDWARD*'s full Power to his Ambaſſadors, dated at *Weſtminiſter*, *May* 20, 1343. to go and treat before the Pope, *Non ut Judice, ſed ut privata Perſona, & Tractatore, & Mediatore communi: Non in Forma nec Figura Judicii, ſed extrajudicialiter, & amicabiliter*, i. e. *Not as a Judge, but as a private Perſon, and common Negotiator*

A. 1342.

E. Northampton *made the King's Lieutenant in* France. *P.* 330, 332.

Edward's *Letter to the Pope's Legat.* *P.* 337.

He goes for Bretagne. *P.* 342.

P. 346. *A three Years Truce.*

P. 357. *King's Return to* England.

P. 357. *Pope's Letter to the King.* *P.* 365.

Edward's *full Power to his Ambaſſadors to treat before the Pope.* *P.* 366.

Edw. III. *tiator and Mediator: Not in the Form or Figure of Judgment, but extrajudicially and amicably.*

And to others to excuse him to the Pope. P. 367.

50. AN Order of the same Date for sending other Ambassadors to the Pope, to complain that the Truce was not executed in all its Articles by *Philip*, and to excuse *Edward* if he did not send a solemn Embassy till he had receiv'd satisfaction.

His Letter to the Pope about his Envoy de Fliſco. P. 374.

51. *EDWARD*'s Letter to the Pope dated *July* the 6th 1343, at *Clarendon*, complaining, that those who had carry'd off his Envoy *Nicol. de Fliſco*, were but too easily pardon'd. He freely tells him, that the great Men of his Kingdom oppose the Departure of his Ambassadors, till he had Satisfaction given him upon this Article; and from thence takes occasion to demand an extraordinary safe Conduct, specifying the particular Clauses necessary for securing his Ambassadors from the like Injuries.

His full Powers renew'd. P. 381.

52. A RENEWING of the full Power for the solemn Embassy to *Avignon*, dated the 29th of *August* 1343, at *Westminster*.

Another of his Letters to the Pope. P. 394.

53. ANOTHER Letter to the Pope, complaining of several Infractions of the Truce. He consents to the Prolongation of the Term fix'd for the Treaty, and demands a safe Conduct for his Plenipotentiaries, in the Form already prescrib'd; 'Tis dated *November* the 29th 1343, at *Westminster*.

Another about safe Conduct. P. 419.

Instructions to the Bishop of Norwich. P. 420.

54. ANOTHER Letter demanding the safe Conduct, dated the 3d of *August* 1344, at *Rising*.

55. A FULL Power of the same Date to the Bishop of *Norwich*, to complain to the Pope of the Infractions of the Truce.

Pope's Letter about Edward's *Ambassadors.* P. 433.

56. A BRIEF of Pope *Clement* VI. desiring *Edward* to send him the solemn Embassy he talk'd of; and that according to the Conventions,



ACTA REGIA.

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Number IV. for *December*.
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This Note ſhould have been inſerted at the bottom of Page 221.

THESE *Maires du Palais*, as the *French* call 'em, were Officers, whoſe Authority was ſo exorbitant that they were not only the Guardians, but Governors of ſome of their antient Kings, and either inthron'd or dethron'd 'em at their Will and Pleaſure. Hiſtory tells us, that *Clouis* II. and the ten Kings that follow'd him, to the Concluſion of the *Merovingian* Race, were call'd *Faineans*, *i. e.* Idle Drones, becauſe inſtead of minding the Government themſelves, they left all to theſe *Mayors*, to whom every body made their Court, while the Princes ſpent their Time in Pleaſures, and were in a manner kept Priſoners in their Palaces, with ſuch Servants as the *Mayor* pleas'd, who were rather Spies upon 'em than Attendants: And this very *Clouis* marry'd a Slave belonging to the *Mayor* of his Palace. *Vid.* Mezeray.

tions, one or more of the Ambaſſadors might be ſome Prince of his Royal Family. He deſires alſo that one of them may be charg'd with his Secrets, and order'd to communicate the ſame to him, which he promiſes to keep as carefully *quaſi Confeſſionis Sigillo*, as if it were under the Seal of Confeſſion. This Letter is dated at *Avignon* the 8th of the Ides of *December* 1344. *A.* 1341.

57. THE King's Anſwer to two Legates who had writ to him from *Lyons*, to inform him that they were ſent to him to exhort him to Peace. He tells them that he cannot treat without the Participation of his Allies; that he had already, by the Advice of his Council, return'd the ſame Anſwer to the Pope's Nuncio, and that he cannot depart from it. 'Tis dated at *Weſtminſter* the 28th of *January* 1345. It ſeems by this Letter that the Pope importun'd him to abandon his Allies, which had undoubtedly a View to *John* of *Montfort*. *King's Anſwer to two of the Pope's Legates.* P. 439.

58. *EDWARD*'s Letter to the Pope concerning the Violation of the Truce of *Bretagne*, by the beheading of certain Noblemen of that Country at *Paris*: 'Tis dated at *Weſtminſter May* the 26th 1345. In this Letter, which is very long, *Edward* makes a brief Recapitulation of all that had paſs'd from the beginning of the War, to the Concluſion of the Truce in *Bretagne*; after which he adds, *Et cum ſic, ſpe Pacis arridente, ſub dictarum Treugarum fiducia redeuntes in Angliam, dimiſſis paucis Miniſtris noſtris in Britannia, pro regimine dictarum Partium, & Coadjutorum noſtrorum ibidem, ordinaſſemus Nuncios noſtros ad Sanctitatis veſtræ præſentiam, pro Tractatu Pacis, prout conditum fuerat tranſmittendos; ſupervenerunt nobis nova certa non leviter pungentia mentem noſtram, de morte, (videlicet)* quorundam Nobilium, nobis Adhærentium, captorum in Britannia, *His Letter to the Pope on the Violation of the Truce of* Bretagne. P. 453.

Edw. III. nia, *& de ſpeciali præcepto dicti Philippi, Pariſiis ignominioſe morti contra formam dictarum Treugarum tyrannicæ traditorum; nec non de ſtrage, & depopulatione magna Fidelium, & locorum noſtrorum in Britannia, Vaſconia, & alibi, ac Tractatibus ſubdolis & occultis cum Alligatis & ſubditis noſtris, habitis, quos ſic a nobis auferre & ſibi attrahere nitebatur; ac aliis, de facili non numerandis, injuriis & flagitiis contra dictas Treugas, per partem præfati Philippi, tam in terra quam in mari factis, & attemptatis, per quæ dictæ Treugæ noſcuntur, per partem dicti Philippi, notorie diſſolutæ.* He adds a little lower, *Ut taceamus de exceſſibus per Nuncium Sanctitatis veſtræ, pridem pro conſervatione Treugarum prædictarum miſſum in Britanniam, perpetratis, qui quod ſedaſſe debuit diſſidium, propenſius excitavit, non Conſervatorem Treugarum, ſed partem contra Nos & Noſtros potius ſe oſtendens; ſuper quo Sanctitas veſtra (ſalve pace ſua) remedium non adhibuit, licet ſuper hoc fuiſſet, ut decuit, requiſita.*

i. e. 'AND when thro' a ſmiling Hope of 'Peace, in confidence of the ſaid Truce, re-'turning into *England*, having ſent a few of 'our Servants into *Bretagne* for the Govern-'ment of thoſe Parts, and of our Coadjutors 'there, we had deſign'd to ſend our Ambaſſa-'dors to your Holineſs in order for a Treaty 'of Peace, according to Agreement, there 'came unto us certain News not a little pro-'voking, *viz.* of the Death of certain No-'blemen, our Adherents, who were taken in '*Bretagne*, and by the ſpecial Command of the 'ſaid *Philip*, contrary to the Form of the ſaid 'Truce, ſhamefully and tyrannically put to 'death at *Paris*: And alſo of the great Slaugh-'ter and Devaſtation of our Liege People and 'Places in *Bretagne*, *Gaſcoigne* and elſewhere; 'and

'and of his ſubtle and ſecret Treaties held with our Allies and Subjects, whom he thereby endeavour'd to take off from us, and to bind unto himſelf; and of other Injuries and Offences, not eaſily to be number'd, againſt the ſaid Truce on the part of the ſaid *Philip*, done and attempted both by Land and Sea; whereby the ſaid Truce, on the part of the ſaid *Philip*, is notoriouſly known to be diſſolv'd.—— Not to ſay any thing of the exceſſive Enormities of your Holineſs's Legate lately ſent into *Bretagne* for the Preſervation of the ſaid Truce, who more earneſtly rais'd the Contention which he ought to have allay'd; not approving himſelf a Conſervator of the Truce, but rather a Party againſt Us and Ours: Concerning which your Holineſs (with your leave) apply'd no Remedy, altho (as was fitting) you was thereto requir'd.' *A.* 1341.

A Miſtake of Mezeray, *and other Hiſtorians, about the Impriſonment of certain Lords in* Bretagne.

THIS Letter plainly diſcovers a Miſtake in *Mezeray* and other *French* Hiſtorians, who aſſert that the Lords of *Bretagne*, who were beheaded at *Paris*, were of the Party of *Charles* of *Blois*, and that they were actually apprehended at *Paris*, whither they went voluntarily to aſſiſt at a Tournament; for on the contrary 'tis evident, that they were of *John* Earl of *Montfort*'s Party, and that they were apprehended in *Bretagne*. *Quorundam Nobilium*, ſays *Edward*, *nobis Adhærentium, captorum in Britannia*, i. e. *Certain Noblemen our Adherents who were taken in* Bretagne. This Error, whether a wilful one or not, is of the more importance, becauſe the Death of thoſe Noblemen being the principal Foundation of the Breach of the Truce, if what thoſe Hiſtorians advance were true, *Edward* cou'd not be juſtify'd for having unſeaſonably broke the Truce: For what reaſon

Edw. III. cou'd he poſſibly have had to take offence at the Death of any Lords of the contrary Party, even tho as *Argentre*, an Hiſtorian of *Bretagne*, affirms, they had maintain'd a Correſpondence with him? Was it not lawful for *Philip* and *Charles* of *Blois* to puniſh their own Subjects? But if thoſe Lords were of *John* of *Montfort*'s Party, and if they were apprehended in *Bretagne* during the Truce, how can *Philip* be excus'd for ſuch a Breach of it?

John *of* Montfort's *Eſcape.*

It ſeems that *Philip* was willing to give *Edward* ſome ſatisfaction, by releaſing *John* of *Montfort* from the Tower of the *Louvre*, and leaving him in *Paris* upon his Parole: but *John* of *Montfort* did not think himſelf bound to keep his Parole; and therefore eſcaping out of *Paris*, he went to find out *Edward*, to whom he perform'd new Homage in theſe Terms: 'I own you rightful King of *France*; 'and to you as my Liege Lord and natural 'King of *France*, I perform my Homage for 'the Duchy of *Bretagne*, which I claim to 'hold from you my Lord, and become your 'Liege-man in Life, and Member, and earthly 'Honour, to live and die againſt all your Ene-'mies.' It was perform'd at the Archbiſhop's Palace at *Lambeth* the 20th of *May* 1345.

His new Homage to King Edward. *P.* 452.

Edward's *Manifeſto.* *P.* 459.

59. *EDWARD*'s Declaration of the Cauſes of the War, and Juſtification of his Conduct. 'Tis dated at *Weſtminſter* the 14th of *June* 1345.

Godfrey *of* Harcourt's *Homage.* Ibid.

60. The Act declaring the Homage perform'd to *Edward* by *Godfrey* of *Harcourt*, the *Norman* Lord, who fled to *England* for Refuge. 'Tis dated at *Weſtminſter* the 13th of *June* 1345.

Pope's Letter to Edward *taxing him with the Breach of the Truce.* *P.* 465.

61. A Bull of Pope *Clement* VI. in anſwer to *Edward*'s Letter of the 6th of *May*. This is a remarkable Bull, in that it makes *Edward* only blameable for the Breach of the Truce. This put me upon examining the principal Arti-

cles of the Charge, becauſe on ſuch Inquiry de- *A.* 1343.
pends the Illuſtration of this Fact, which the
Hiſtorians have left in great Obſcurity. At
the ſame time this may ſerve as one among the
numerous Examples I ſhall bring, to ſhew the
vaſt Service that is done to Truth by the Acts
printed in the *Fœdera*.

PORRO, ſays the Pope, *quia illi qui dictas tuas nobis miſſas Litteras dictitarunt, rei veritatem forſitan ignorabant, multa poſuerunt in eis, & aliqua tacuerunt, in quibus erraverunt notabiliter, factum taliter recitando:* i. e. Moreover, becauſe they who dictated your Letters to us, perhaps not knowing the Truth, have inſerted many things, and omitted others in which they have err'd remarkably, by reciting the Fact after ſuch a manner.

NOW the Proofs which the Pope brings to convince *Edward*, that he was the Infractor of the Truce, are theſe.

1. HE upbraids him for not executing the Conventions, by which he engag'd to ſend Ambaſſadors to him, one of whom was to be a Prince of the Blood Royal; both which Articles, ſays he, *Philip* has perform'd.

IN anſwer to this Objection it may be obſerv'd, that amongſt the Ambaſſadors nominated by *Edward*, were *Henry* of *Lancaſter* Earl of *Derby* his Couſin, and *Hugh Spenſer* Son to one of his Couſin-Germans. The Nomination of theſe Ambaſſadors is prov'd by the full Power which was given them, dated at *Weſtminſter* the 29th of *Auguſt* 1343. 'Tis true, *P.* 381. that before this ſolemn Embaſſy was ſent away, he diſpatch'd other Ambaſſadors to the Pope, to complain of ſome Infractions of the Truce, and of the carrying off of *Fliſco*, as alſo to demand an effectual ſafe Conduct. From hence

Vindication of Edward's *Conduct.*

Edw. III. the Pope takes occaſion to object, that not one of the Ambaſſadors ſent to him was a Prince of the Royal Family. But who does not ſee that this Objection is perfectly captious, ſince thoſe Ambaſſadors were not ſent to treat of Peace? On the other hand, if *Edward* did not ſend his Plenipotentiaries, it was becauſe no Satisfaction was given him, as to the carrying off of his Envoy, and that the Pope had even abſolv'd thoſe who committed that Violence without his Participation. In the ſecond place, *John* of *Montfort* was detain'd in Priſon, contrary to the Conventions of the Truce. And finally, the Pope refus'd to grant the *Engliſh* Plenipotentiaries their ſafe Conduct, in the Form wherein *Edward* demanded it. Therefore the Pope could blame none but himſelf for the Delay of the *Engliſh* Ambaſſadors, till the time that the Lords of *Bretagne* were put to death.

2. As to the Execution of thoſe Lords, the Pope excuſes it thus. He ſays, that when he wrote about it to the King of *France*, *Philip* return'd for Anſwer, that he had caus'd them to be put to death for divers Crimes which they had committed, and particularly for having broke the Truce of *Bretagne*: That beſides, thoſe very Gentlemen had affirm'd, that they had no manner of Confederacy with *Edward*, but only with *John* of *Montfort*; and that the ſaid Earl, then a Priſoner at *Paris*, affirm'd on his part, that he had made no Alliance with *Edward*. But nothing is more evident than the Weakneſs of this Excuſe. Cou'd *Philip* be ignorant that the Truce was made in *Bretagne* upon account of the War which *Edward* carry'd into that Province in favour of *John* of *Montfort*? Beſides, there's no manner of probability that *Montfort* ſhou'd declare he had made

made no Alliance with *Edward*, ſince it was by virtue of the ſaid Alliance that his Liberty was ſtipulated in the Articles of the Truce, and to that alone in all likelihood he ow'd his Life; for had it not been for *Edward*'s Protection he wou'd have been expos'd to the Severity of the Laws, for having taken up Arms againſt his Sovereign. He was not ſo weak therefore to deprive himſelf of that Protection, by declaring that he had made no Alliance with his Protector. 'Tis alſo worthy of remark, that *Philip* own'd that the Lords who had been beheaded were of *John* of *Montfort*'s Party; and that he did not diſown their being apprehended in *Bretagne*, as *Edward* affirm'd in his Letter to the Pope. 'Tis therefore evident, that ſince all the Allies and Adherents of the two Kings were included in the Truce, *Philip* was the Man that broke it, by cauſing the Lords of the contrary Party to be taken up in *Bretagne*, and put to death at *Paris*. *A.* 1343.

3. THE Pope ſays to *Edward*, that as he complain'd of certain Infractions of the Truce, *Philip* made the like Complaint on his part. In this 'tis poſſible that both Parties were to blame.

4. AS to *Edward*'s Complaint that *Charles* of *Blois* broke the Truce, and that *Philip* aſſiſted him; the Pope makes anſwer, that the King of *France* had aſſur'd him, that he gave that Prince no manner of Aſſiſtance. He adds, that *Charles* of *Blois* repairing in Perſon to *Avignon*, had declar'd in his Preſence, that he was not included in the Treaty, that he was not once nam'd in it, and that he was not ſo much as requir'd to ſign it. But this again is an evaſive Anſwer, becauſe the Truce made in *Bretagne* between the two Kings, included all their Subjects and Allies, as may be ſeen in this Volume of the

Edw. III. *Fœdera*, in the Order for proclaiming the three Years Truce, ſeal'd at *London* with the Great Seal the 20th of *February* 1343, tho they were not therein nominated, and that none but the Ambaſſadors of the two Kings ſign'd the Treaty. And if, under pretence that *Charles* of *Blois* had not ſign'd the Truce, and was not therein mention'd, it was lawful for him to continue the War in *Bretagne*, it was equally lawful for *Montfort*'s Party to have done the ſame: Conſequently this Truce, which had been chiefly made for the ſake of *Bretagne*, wou'd have been a mere Deluſion.

Order for proclaiming the three Years Truce with France. P. 357.

5. As to *Edward*'s Complaints to the Pope about his Nuncio, *Clement* contents himſelf with denying the Fact, and with barely ſaying that he wou'd have puniſh'd his Nuncio, if he had obſerv'd the leaſt Partiality in his Conduct.

6. It is not ſo eaſy, indeed, to excuſe *Edward* upon the Pope's Complaint that the *Engliſh* had by force made themſelves Maſters of the City of *Vannes*, after having turn'd out the Pope's Troops, who ought to have kept it till the Expiration of the Truce. This perhaps might be by way of Repriſal for ſome place which had been taken by *Charles* of *Blois*. By the way, this may ſerve to let us into the Secret how *Vannes* came into the Hands of *John* of *Montfort*, which is a Fact whereof the Hiſtorian of *Bretagne* was ignorant.

These were the Arguments on which *Clement* laid the greateſt Streſs, in order to convince *Edward* that it was he who firſt broke the Truce. He did not mention one Word in this Bull about the carrying off of *Fliſco*, and 'tis probable he had nothing to ſay to excuſe it. *Edward* therefore might juſtly ſay to the Pope upon this Article as well as the foregoing, that thoſe

thoſe who had dictated his Bull had paſs'd over ſome important Articles in Silence, and diſguis'd the Truth of others. Several other Obſervations might be made upon this Bull, only I am afraid of running out into too tedious a Diſcuſſion of it: And I am of opinion that what has been ſaid may be ſufficient to ſhew which of the two Kings was chargeable with the Breach of the Truce. *A.* 1346.

62. *EDWARD*'s Letter to the Pope dated at *Weſtminſter* the 11th of *November* 1345, wherein he acquaints him that he is preparing ſuch an Anſwer to the above-mention'd Bull, as he doubts not will be ſatisfactory to him. Edward's *Letter to the Pope.* P. 483.

THE Anſwer is not inſerted in the *Fœdera*, nevertheleſs we find that afterwards he ſent a Man to the Pope with Inſtructions upon this Subject, dated the 8th of *January* 1346, at *Woodſtock*. P. 489.

63. A PROCLAMATION, or Manifeſto, dated at *Weſtminſter* the 15th of *March* 1346, juſtifying the War againſt *Philip* of *Valois*. What is very remarkable in this Proclamation is *Edward*'s ſaying, that immediately upon the Death of *Charles the Fair*, he conſulted the Lords Spiritual and Temporal, and the Civilians of his Kingdom; and that by their Advice he ſent Ambaſſadors into *France* to demand the Crown. He adds, that they cou'd not obtain Audience; and that after having left their Proteſts, they were oblig'd to retire for fear of their Lives. This is a Confirmation of what was ſaid upon this very Particular in our Account of the fourth Volume of the *Fœdera*. *His Proclamation, ſetting forth the Reaſons of his War with* France. P. 496.

64. CONVENTIONS between *John* Duke of *Normandy*, Son to *Philip de Valois*, and the *Normans*, by which the latter oblige themſelves to *The* Normans *deſign to invade* England. P. 504.

Edw. III. to follow the Duke into *England* with 40000 Men, to make a Conqueſt of that Kingdom, on certain Conditions ſpecify'd on both ſides, in caſe the Undertaking ſhou'd be crown'd with Succeſs. 'Tis dated at *Bois de Vincennes*, *March* the 23d, in the Year 38; which is ſuppos'd to be a Miſtake of the Preſs in this Collection for 1346*.

Regent's Letter to the chief Cities, upon the Victory at Creſſy. *P.* 525.

65. A Letter from the King's Son *Lionel*, then Regent in *England*, to the Mayors and Bailiffs of the chief Cities of the Kingdom, and to the Sheriffs of the Counties, acquainting them with the Victory gain'd by the King's Forces at *Creſſy*. 'Tis dated the 6th of *September* 1346, at *Windſor*.

Order to ſend the King Forces to ſupport the Siege of Calais. *P.* 527.

66. An Order to ſend great Succours to the King, to make head againſt *Philip*, who was aſſembling all the Forces of *France* to raiſe the

* Mr. *Barnes* ſays this was call'd the *Ordinance of* Normandy; and that a Copy of it was produc'd in the *Engliſh* Parliament in *January* 1337, according to which the Duke of *Normandy* was to paſs as Chief, with other Nobles of that Province, into *England*, with 40000 Men of Arms, Knights, Eſquires, and Perſons of good Eſtate, and 40000 Foot-men, Methods being there preſcrib'd for keeping the Sea; and an Order was alſo added, That the ſaid Duke ſhould remain in *England* with the ſaid Forces for ten Weeks: That if the Realm of *England* ſhould be conquer'd, the Duke ſhould not only have all the Honour and Advantage of it, but all that the King of *England* was then poſſeſs'd of ſhou'd remain entirely to the ſaid Duke, and the Knights and Lords with him: That all which belong'd to the Nobles and Laity of *England*, ſhou'd be beſtow'd on the Churches and famous Towns of *Normandy*, only of the Revenues of the Church of *England* the *French* King ſhou'd receive 20000 *l.* a Year, ſaving the Rights of the Pope; and that every thing taken from the *Scots* at any time, and annex'd to the Crown of *England*, ſhould be reſtor'd.

Siege

Siege of *Calais*. 'Tis dated the 3d of *October* 1346, at *Windſor*. *A.* 1348.

67. A TRUCE concluded near *Calais*, from the 28th of *September* 1347, to the 9th of *July* 1348. *Truce near Calais.* P. 588.

68. SEVERAL Prolongations of it till the 1ſt of *Auguſt* 1350. and full Powers to make a Treaty of Peace. *Edward*'s Prorogations of the Truce; and the full Powers he gave to his Ambaſſadors to repair for a Treaty of Peace to the Apoſtolic See, are dated the 13th of *February*, the 15th of *May*, the 6th of *Auguſt*, the 11th and 25th of *September*, and the 18th of *November* 1348; and the 10th of *March*, the 2d and 15th of *May*, the 28th of *Auguſt* 1349; and the 13th of *June*, the 1ſt and 28th of *July* 1350. *Prolongations of it, and full Powers for a Treaty of Peace.* P. 608. 623. 629. 640. 642. 649. 657. 660. 664. 671. 672. 676. 678.

69. A LETTER from Pope *Clement* VI. on the Death of *Philip de Valois*, exhorting *Edward* to make a Peace with *John* his Son and Succeſſor. 'Tis dated at *Avignon* the 3d of the Nones of *September* 1350. *Pope's Exhortation to* Edward *on* Philip's *Death.* P. 680.

70. FULL Powers to renew with *John* the Truce made with *Philip* his Father. They are dated at *Weſtminſter November* the 2d 1350. *Truce renew'd with his Succeſſor.* P. 690.

71. SEVERAL Prolongations of the Truce, in order to negotiate a Peace. They are dated at *Weſtminſter* the 27th of *June*, at the Tower the 26th and 27th of *July*, and the 4th of *September*, the 11th *ditto* at the place of Treaty between *Guiſnes* and *Calais*, and at *Weſtminſter* the 1ſt of *October* 1351. *Prorogations of the Truce.* P. 711. 714. 715. 722. 725. 727.

72. *EDWARD*'s Letter to the Pope, in which he ſignifies his Reſolution to conclude a Peace with *John*; *Ita quod ex parte noſtra, non reperietur, per Dei gratiam, diſſimulatio, dilatio vel defectus, quod de nobis ſentire velit veſtra Moderatio circumſpecta*: *i. e.* Inſomuch that on our part Edward's *Letter to the Pope.* P. 772.

Edw. III. part there ſhall not be found, by the Grace of God, any Diſſimulation, Delay or Deficiency, *&c.* 'Tis dated at *Weſtminſter* the 8th of *November* 1353. This was when *John* made ſuch Conceſſions as to offer *Guyenne*, *Artois*, *Guiſnes* and *Calais* to *Edward* in full Sovereignty.

Another to the new Pope, Innocent VI. *P.* 753.

73. A LETTER to Pope *Innocent* VI. upon his Advancement to St. *Peter*'s Chair, dated the 20th of *June* 1353, at *Weſtminſter*.

His full Powers to his Ambaſſadors to renounce France. *P.* 779.

74. *EDWARD*'s full Power to his Ambaſſadors, more ample than the preceding, for concluding a Peace, and for renouncing the Crown of *France* in his Name, dated the 30th of *March* 1354, at *Weſtminſter*.

Prorogation of the Truce. *P.* 781.

75. A PROROGATION of the Truce from the 6th of *April* 1353, to the 1ſt of *April* 1354, dated *April* the 6th aforeſaid, under the Tents before *Guiſnes*.

King ſubmits his Rights in France *to the Pope's Juriſdiction.* *P.* 794.

76. A POWER given to the Ambaſſadors, more ample than all before granted, whereby it manifeſtly appear'd that *Edward* thought the Peace as good as concluded. 'Tis dated the 28th of *Auguſt* 1354, at *Weſtminſter*; theſe are the Words of it, *Dantes & Concedentes eiſdem Procuratoribus, Auctoritatem & Mandatum ſpeciale Tractandi cum dicto Adverſario noſtro, ſeu Deputatis & Aſſignatis per eum, de pace finali inter Nos & ipſum feliciter, per Dei gratiam ineunda, & ſuper omnibus Debatis, Litibus & Controverſiis, inter Nos & dictum Adverſarium Noſtrum exortis: Specialiter ſuper Jure quod habemus, vel habere poterimus, ad Coronam & Regnum Franciæ, & pertinentias eorundem, vel in eis Tranſigendi, Componendi, Pacificandi, & etiam Juri nobis in hac parte competenti ex cauſa Tranſactionis, ſeu Compoſitionis ac Recompenſationis nobis propter hoc faciendæ renunciandi, &c. Et cum inter Nuncios utriuſq; partis ſic tranſactum fuerit & finaliter concordatum, ut*

ſic

ſic concordata, quantum ad Nos attinet, fideliter obſerventur, ſubmittendi Nos, Hæredes & ſubditos Noſtros ac Terras & Dominia & omnia quæcunque quæ jam habemus in Regno Franciæ, Et quæ, virtute hujuſmodi Concordiæ in eodem contigerit nos habere, *juriſdictioni dicti Domini Summi Pontificis, (videlicet) ut ipſe per Cenſuras Eccleſiaſticas, & alias vias legitimas, ad obſervationes præmiſſorum Nos, & Hæredes & Subditos noſtros, compellere valeat & artare, & omnia ſic concordata, autoritate Apoſtolica confirmare, omologare, & quacum firmitate vallare: i. e.* Giving and granting to the ſaid Plenipotentiaries full Power and ſpecial Command to treat with our ſaid Enemy, or ſuch as are deputed and aſſign'd by him, happily to negotiate a Peace betwixt Us and Him, by the Grace of God, and to treat of all Debates, Diſputes and Controverſies ariſen betwixt Us and our ſaid Adverſary; eſpecially concerning the Right which we have, or may have, to the Crown and Kingdom of *France*, and their Appurtenances; even to tranſact, compound, or bargain therein; and alſo to renounce our competent Right for the ſake of the Tranſaction or Compoſition, and Recompence to be made to us on that Account, *&c.* And when it has been ſo tranſacted and finally agreed between the Ambaſſadors on both ſides; that the Articles ſo agreed on, as far as appertains to us, may be punctually obſerv'd, we give them the Power to ſubmit Us, our Heirs and Subjects, Lands, Dominions, and all things whatſoever are ours in the Kingdom of *France*, and which we ſhall happen to have there, by virtue of ſuch Agreement, to the Juriſdiction of our ſaid Lord the Pope, (*viz.*) That he may compel and bind Us, our Heirs and Subjects by Eccleſiaſtical Cenſures, and other legal Methods, *A.* 1354.

Edw. III. thods, to the Obſervation of the Premiſes, and confirm, ratify and fortify the ſaid Agreement in all its Articles.

Mezeray convicted of wilful ſilence in a material Article.

'Tis evident from this full Power, that ſuch Offers had been made to *Edward* as he thought fit to accept; which confirms what the *Engliſh* Hiſtorians have advanc'd on this Head, tho *Mezeray* has thought fit to paſs it over in ſilence.

The Biſhops Power to certain Civilians for ſigning the Treaty. P. 796.

77. The Power given by the Archbiſhops and Biſhops of *England* to five Civilians to conſent in their Name to the Treaty which was to be ſign'd in Preſence of the Pope, deſiring the Pope to confirm it by his Authority, and to oblige to the Obſervation of it by the ſevereſt Cenſures; dated at *Weſtminſter Auguſt* the 28th 1354.

The like from the Princes and Nobility. P. 797.

78. The Power given by *Lionel* and *John*, Sons to King *Edward*, and by 85 *Engliſh* Noblemen, of the ſame Tenor and Date as the former.

K. John's Refuſal to ratify the Treaty near Guiſnes.

This Negotiation being ſpun out to the end of the Year 1354, *Edward*'s Expectations were fruſtrated by King *John*'s Refuſal to confirm what had been agreed upon before *Guiſnes*.

Edward's Letter on that Subject to the Biſhops of England. *P. 816.*

79. *EDWARD*'s Letter dated at *Weſtminſter*, *June* the 1ſt 1355, to the Biſhops of *England*, informing them that the Ambaſſadors of the two Crowns aſſembled between *Guiſnes* and *Calais* had concluded Articles of Peace, and agreed to go to the Pope to get them confirm'd by his Authority; but that his Ambaſſadors, after having waited a long time, had been oblig'd to return home, thoſe of *France* having refus'd to confirm what had been agreed to.

80. The

80. THE Commiſſion by which *Edward* ſent the Prince of *Wales* in quality of his Lieutenant to the Province of *Gaſcoigne*; dated *July* the 16th at *Northfleet*. *A.* 1355. *Prince of* Wales's *Commiſſion as Lieuten.* Gaſcoigne. *P.* 823.

81. THE Patent appointing *Henry* of *Lancaſter* the King's Lieutenant in *Bretagne*; dated at *Portſmouth*, *September* 14th 1355. *D. of* Lancaſter's *as Lieuten. in* Bretagne. *P.* 826.

82. THE King's Anſwer to a Letter from the Pope preſſing him to renew the Negotiations of Peace, wherein *Edward* tells him, that after having been ſo groſly deluded by his Enemy, he has taken up Arms again, and cannot think of renewing the Negotiations upon ſuch very uncertain Hopes. 'Tis dated *May* the 2d 1356, at *Weſtminſter*. Edward's *Letter to the Pope, declaring he cannot enter into a new Treaty with* France. *P.* 851.

NEVERTHELESS to give ſome ſatisfaction to the Pope, who inceſſantly teaz'd him to make Peace, *Edward* empower'd his Son the Prince of *Wales*, then actually in *Guyenne*, to treat with *France*: which Power is dated at *Weſtminſter*, *Auguſt* 1ſt 1356. *His full Power to his Son to enter on a Treaty.* *P.* 858.

'TIS very probable that *Edward* referr'd the Affair to the Prince his Son, who was at that time ravaging the Provinces of *France*, for no other end but to get rid of the Pope's troubleſom Sollicitations.

83. *EDWARD*'s Letter to the Prelates of his Kingdom, acquainting them of the great Victory the Prince of *Wales* had gain'd near *Poictiers*, and of the taking of King *John*; dated *October* the 10th 1356, at *Weſtminſter*. *His Letter to the Bps on the Victory at* Poictiers. *P.* 869.

84. HIS Letters Patent appointing *Philip* of *Navarre* Governor of *Normandy*; dated at *Weſtminſter*, *October* 30th 1356. *He appoints* Philip *of* Navarre *his Governor in* Normandy. *P.* 871.

THIS Prince was Brother to *Charles* King of *Navarre*, whom King *John* detain'd in Priſon

Edw. III. ſon at the Caſtle of *Arleux* in the Diſtrict of *Cambray.* *

EDWARD's *Affairs with* Scotland.

WHEN we clos'd our Account of the fourth Volume of the *Fœdera*, we left *Scotland* in a very unhappy State. *Edward* being Maſter of the chief Places reign'd there, while *Edward Baliol* had the Title indeed of King, but no more than the Shadow of Sovereignty, ſo long as King *David* was a Refugee at the Court of *France*, which ſought rather to prolong the War in *Scotland*, than to put an end to it by any powerful Succours. After the time that *Edward* had made known his Deſigns againſt *France*, *Philip* of *Valois* wou'd have been very glad if he could have made a powerful Diverſion in *Scotland*; but it was too late, for then he had enough to do to oppoſe a League form'd againſt him, while *Edward* amus'd him with the falſe Hopes of Peace, as was obſerv'd in the Account of the preceding Volume. For this Reaſon the Succours with which he was able to furniſh the *Scots*, were not very conſiderable. Mean time *Robert Stuart*, who was Regent in *Scotland* for King *David*, perceiving that *Edward* would have Work enough cut out for him in *Flanders*, flatter'd himſelf with the Hopes of making his Advantage of this Diverſion; and therefore, after having aſſembled ſome Troops, as ſoon as he heard that *Edward* was gone beyond Sea, he renew'd the Hoſtilities in *Scotland*. The little Oppoſition he met

Robert Stuart's *Progreſs in* Scotland.

* MR. *Barnes* ſays that King *John*, who was his Father-in-law, impriſon'd him for privately correſponding with his Enemies.

with

with from *Baliol*, with whom *Edward* had left but few Forces, and ſome little Succeſs which attended his Arms at the beginning, giving him a fair Opportunity to augment his Army, he reſolv'd to beſiege *Perth*, which he did accordingly next Year, *viz.* 1339, juſt about the time that *Edward* began his firſt Campaign in *Flanders*. The taking of this place, which coſt him a Siege of three Months, having oblig'd *Baliol* to retire towards the Frontiers of *England*, the Regent improv'd his Advantages, and attack'd the ſtrong Town of *Sterling*, which he took by Compoſition, after he had likewiſe made himſelf Maſter of *Edinburgh* by a Stratagem. *A.* 1341.

EDWARD being too buſy in his Preparations for the Campaign which he was to make in *Flanders* in the Year 1340, to have any Thoughts of *Scotland*, *Steuart* took that Opportunity to make an Incurſion into *Northumberland*, from whence he carry'd away a great Booty. Afterwards, while *Edward* was before *Tournay*, the Regent of *Scotland* made himſelf Maſter of *Roxborough*, and in ſhort of all other places which the *Engliſh* held in *Scotland*, ſo that *Berwick* only remain'd in their Hands.

THE *Scots* being expreſly included in the Truce which was made before *Tournay* in the Year 1341, as ſoon as it was expir'd, *Edward* reſolv'd to go once more and ravage *Scotland*, while the Truce which he had prolong'd with *France* ſtill ſubſiſted. With this View he went to *Newcaſtle*, where he waited in vain for his Fleet which was to bring Proviſions for his Army. A violent Storm which diſpers'd that Fleet having broke his Meaſures, he was oblig'd to grant the *Scots* a Truce, on condition that they wou'd ſubmit to his Authority if King *David* did not return to *Scotland* by a certain time

Edward's Truces with the Scots.

Edw. III. time with an Army ſtrong enough to give Battel. *Buchanan* ſays, that *David* was already in *Scotland incognito*, and that he likewiſe made an Incurſion into *Northumberland*. Be this as it will, *Edward*, whoſe Head was full of the Affair of *Bretagne*, mention'd in the preceding Article, granted a new Truce to King *David*, and then retir'd.

IT was during this Truce, towards the latter end of the Year 1342, that *Edward* went to carry the War into *Bretagne*, where in *February* 1343, he made a Truce which was to laſt till *Michaelmaſs* 1346, and in which *Scotland* was included. It was obſerv'd in the foregoing Article, that this Truce was broke ſo far as related to *France*, in the Year 1345, and that *Edward* made a Deſcent in *Normandy* in 1346.

K. David *invades* England.

WHILE *Edward* was that Year ravaging *Normandy*, and the Neighbourhood of *Paris*, *David* broke the Truce on his part, by ſending Forces to make an Incurſion into *England*, while himſelf was preparing to give a more powerful Diverſion. This evidently appears from an Act in the *Fœdera*, which I ſhall mention hereafter.

EDWARD laying ſiege to *Calais* after the Battel of *Creſſy*, *Philip* who was not in a Condition to come ſoon enough to raiſe it, engag'd King *David* to make a powerful Diverſion in *England*, in hopes that *Edward* wou'd be oblig'd to haſten home to the Relief of his own Subjects. By this time *David* could not but be very well prepar'd to receive him, becauſe he had been in *England* ſix Weeks after the Battel of *Creſſy*, at the Head of 60000 Men, and was even advanc'd as far as *Durham*. The Diligence of the *Engliſh* to oppoſe this Invaſion was ſo great,

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great, that by the Care of the Archbiſhop of *York*, and ſome Lords in the North, they were ſoon in a Condition to give the *Scots* Battel; which they did near *Durham*, where the *Scots* Army was entirely routed, with the Loſs of 15000 Men, and King *David* himſelf taken Priſoner. *A.* 1354. *He is routed and taken Priſoner.*

THE Loſs which the *Scots* ſuffer'd, together with the Impriſonment of their King, would have put them out of a Capacity to ſtop the *Engliſh* Arms, if *France* had not taken care to get them included in the Truce of *Calais*, and in the frequent Prolongations thereof to the Year 1354, as was obſerv'd in the preceding Article. During theſe Truces, Endeavours were us'd for procuring King *David* his Liberty by ſeveral Negotiations, which after having laſted many Years, were at length conſummated in a Treaty made in the Year 1354, by which *Edward* engag'd to ſet *David* at full Liberty for a Ranſom of 90000 Marks Sterling, payable in nine Years; for which *David* was oblig'd to give good Sureties. This happen'd at the very Juncture when *Edward* made ſure of concluding a Peace with King *John*, according to the Articles agreed on betwixt *Guiſnes* and *Calais*: But as *John* had no deſign to confirm thoſe Articles, he engag'd the *Scots* to renew the Hoſtilities, by ſending 40000 Crowns to be diſtributed, as *Buchanan* ſays, among the leading Men in *Scotland*: Therefore juſt as *David* was going to be ſet at liberty, *Stuart* took *Berwick* by Surprize, and ſet fire to it *. This unexpected Rupture forcing *Edward* to take other Meaſures, he caus'd *David* to be more cloſely confin'd in the Caſtle of *Odiham*, *K.* David's *Ranſom.* Scots *fed with Money from the* French *King.* Berwick *taken by ſurprize, fir'd and then aban-don'd by the* Scots.

* Mr. *Barnes* ſays this happen'd on the 6th of *November* 1355.

Edw. III. and march'd towards the Frontiers of both Kingdoms to recover *Berwick*; which was no difficult matter for him to do, becauſe the *Scots* had abandon'd it.

Edward's *Ravages in* Scotland.

EDWARD's Expedition did not end with *Berwick*, but he likewiſe made himſelf Maſter of *Edinburgh* and *Roxburgh*, and ravag'd ſome of the Counties of *Scotland* without Mercy; and if it had not been for a Breach of the Treaty, then begun with *France*, 'tis very likely that *Edward* would have made himſelf Maſter of all *Scotland*. At leaſt there is no doubt but he intended it, when 'tis conſider'd, that at that time he began his Negotiations with *Baliol*, whereby the latter was to make over to *Edward* all his Right to that Kingdom, as appears by ſome Acts in this Volume. The Negotiations for this Purpoſe, which probably were interrupted by the Preparations that *Edward* was oblig'd to make for renewing the War againſt *France*, were begun again in the Year 1356. Till then *Edward* made uſe of *Baliol*'s Name in the War with *Scotland*; but at length he took off the Mask, and determin'd to act in his own Name. For this end he got *Baliol* to yield him the Kingdom of *Scotland*, with all its Dependencies, on the Payment of a yearly Penſion of 2000 *l.* Sterling, which he gave him as a Compenſation for that imaginary Crown. And with this the Acts of the fifth Volume relating to *Scotland* conclude: We will juſt run thro the chief of them.

Baliol *reſigns his Claim to* Scotland *to* Edward *for a Penſion.*

Edward's *Nomination of a Governor of* Perth. *P.* 70.

1. AN Act declaring *Baliol*'s Dependence upon *England*, dated at *Northampton* the 4th of *Auguſt* 1338, *Teſte Cuſtode Angliæ*. 'Tis a Requeſt, or rather an Order to *Baliol* to give the Government of *Perth* to *Thomas Ughtred*, in theſe Terms; *Cum, pro reipublicæ, ac veſtrorum & noſtrorum ſubditorum, commodo & utilitate, de Conſilio*

cilio noſtro, ordinaverimus, quod Dilectus & Fidelis noſter, Thomas Ughtred habeat cuſtodiam villæ Sancti Johannis de Perth in Scotiâ.——Veſtram amicitiam requirimus & rogamus, quatenus eidem Thomæ cuſtodiam villæ prædictæ, per Literas veſtras Patentes, in forma debita, committi faciatis: i. e. Whereas, for the publick Good, and for the Profit and Advantage of your and our Subjects, we have order'd that our truſty and well-beloved *Thomas Ughtred* ſhall have the Government of *Perth*, or *St. Johnſtown* in *Scotland*——We require and expect from your Friendſhip, that you commit the Government of the ſaid Town to *Thomas Ughtred*, as aforeſaid, by your Letters Patent diſpatch'd in due form. *A.* 1340.

2. AN Order to pay *Baliol* thirty Shillings a Day for his Subſiſtence in time of Peace, and fifty Shillings a Day in time of War. 'Tis ſign'd *Teſte Cuſtode*, and dated at *Berkhampſtede*, *May* the 3d 1339. *Order for* Baliol's *Subſiſtence Money.* *P.* 109.

3. A PARDON granted to *Thomas Ughtred* for having ſurrender'd the Town of *Perth* to the Enemy; dated *October* the 29th 1339, at *Kenington*, *Teſte Cuſtode.* Thomas Ughtred's *Pardon.* *P.* 131.

4. AN Allowance to *Baliol* of forty Shillings a Day in time of Peace, and three Pounds in time of War; dated at *Weſtminſter*, *May* the 20th 1340. *A farther Allowance to* Baliol. *P.* 186.

5. SEVERAL Furloughs for the Earl of *Murray*, a Priſoner in *England*. They are dated at *Kenington*, *July* the 18th; at *Billibrig*, *Auguſt* the 1ſt; at *London*, *Auguſt* the 20th; at *Berkhampſtede*, *Auguſt* the 25th; at *Andover*, *September* the 25th; at *Wallingford*, *October* the 25th and 26th 1340; at *Weſtminſter*, *February* the 8th, and *May* the 28th; at *Langley*, *July* the 1ſt; and at the Tower of *London*, *July* the 21ſt 1341. *Furloughs to the Earl of* Murray. *P.* 197, 200, 202, 205, 213, 214, 224, 250, 262, 268.

Edw. III.

6. A Power granted to *Henry* Earl of *Lancaster* to make a Peace or Truce with the *Scots*; dated at *Weſtminſter*, *October* the 10th 1341.

Power to E. of Lancaſter. P. 285.

7. An Order to aſſemble an Army againſt *Scotland*; dated *November* the 4th 1341, at *Newcaſtle* upon *Tine*,

Order to aſſemble an Army. P. 290.

8. A Paſſport for certain Envoys coming into *England* from *David Bruce* to treat with the King; dated *March* the 20th 1342, at *Weſtminſter*.

Paſſport for David's Envoys. P. 303.

9. An Order for the exact Obſervation of the Truce concluded in *Bretagne* with the *Scots*; dated *May* the 20th 1343, at *Weſtminſter*.

Order for obſerving the Truce. P. 367.

10. An Order to aſſemble Troops to make Head againſt the *Scots*, who after having made an Incurſion into *England*, were withdrawn, and muſter'd all their Forces to make a freſh Invaſion; ſign'd *Teſte Cuſtode*, the 20th of *Auguſt* 1346, at *Weſtminſter*. The Date of it is remarkable, becauſe it ſhews that King *David* had begun Hoſtilities even before the Battel of *Creſſy*, which was not fought till the 26th of the ſame Month.

Another Order to aſſemble Troops. P. 524.

11. A Letter from the Regent of *England* to the Archbiſhop of *York*, thanking him for the Victory at *Durham*; dated at the Tower of *London*, *October* the 20th 1346. It appears by this Letter that the ſaid Prelate did not only raiſe Forces to make Head againſt the *Scots*, but that he was alſo in the Battel; *Veſtras, inſuper fidelitatem & ſtrenuitatem probatiſſimas, pro honore noſtri nominis, & tuitione Rei noſtræ publicæ Anglicanæ, contra hoſtiles invaſiones Scotorum, Inimicorum & Rebellium noſtrorum, modernis temporibus præexpertas, ſudoribus Bellicis, præſertim in noſtra abſentia, claras factas, cum intimis gratiarum actionibus in Domino commendamus: i. e.* Moreover, We heartily commend in the Lord your

Regent's Thanks to the ABp. of York for the Victory at Durham. P. 528.

your approv'd Fidelity and Valour for the Honour of our Name, and the Defence of our Government of *England*, againſt the Hoſtile Invaſions of the *Scots*, our Enemies and Rebels, which you have lately ſignaliz'd in the Toils of War, eſpecially in our abſence. *A.* 1350.

An Act for the Pardon of the ABp. of York. *P.* 692.

IN another Act dated at *Weſtminſter*, *November* the 18th 1350, for the Pardon of the Archbiſhop of *York*, the King ſays, *Attendentes grata & laudabilia obſequia, quæ venerabilis Pater Willelmus de la Zouche Eborum Archiepiſcopus, multipliciter nobis fecit, nec non locum magnum, quem nobis & toti Regno Angliæ, pro defenſione ejuſdem Regni, præſertim in conflictu Dunelmenſi, noſcitur tenuiſſe: i. e.* In Conſideration of the acceptable and commendable Acts of Obedience of many kinds, which the moſt Reverend Father *William de la Zouche* Archbiſhop of *York* has perform'd to us; and alſo the great Share which 'tis known to us, and to the whole Kingdom of *England*, he has had in the Defence of the ſaid Kingdom, eſpecially at the Battel near *Durham*, *&c.*

Order to commit David *to the Tower.* *P.* 537.

12. AN Order to bring *David Bruce* to the Tower; dated *December* the 15th 1346, at *Eltham*.

Coupland's Reward for taking him. *P.* 542.

13. THE Honour conferr'd on *John Coupland*, who took *David Bruce* Priſoner; King *Edward* made him a Knight Banneret for this Service, and ſettled 500 Pounds a Year on him and his Heirs for ever, as appears by the Patent dated at *Eltham*, *January* the 20th 1347.

Order for proſecuting the Earls of Menteith *and* Fife. *P.* 549.

14. AN Order for the Proſecution of the Earls of *Menteith* and *Fife*, who revolted from *Edward*'s Intereſt, and were taken in the Battel of *Durham*. 'Tis dated at *Windſor*, *February* the 22d 1347.

Edw. III. 15. THE Judgment by which Sentence of Death is paſs'd upon thoſe Earls, and a Reprieve granted to the Earl of *Fife*, the King's Couſin; dated as above.

Judgment paſs'd on them.

P. 550. 16. SEVERAL Acts relating to the Negotiations ſet on foot for the Enlargement of *David Bruce*: They are dated at *Weſtminſter*, *April* the 16th and *July* the 3d; at *Odiham*, *Auguſt* the 8th; at *Weſtminſter*, *Auguſt* the 12th; at *Odiham*, *Auguſt* the 12th; at *Weſtminſter*, *October* the 10th, 18th, and 23d 1348; and at *Langley*, *February* the 25th 1349.

Treaties for the Releaſe of David. *P.* 618, 625, 632, 634, 645, 646, 647, 657.

Edward's *Acceptation of* Baliol's *Proteſt.* *P.* 699. 17. *EDWARD*'s Acceptation of *Baliol*'s Proteſt that the Treaty on foot with *David Bruce* ſhou'd not prejudice his Rights; dated *March* the 4th 1351, at *Weſtminſter*.

David's *Paſſport to* Scotland. *P.* 722. 18. A PASSPORT for *David Bruce*'s going to *Scotland* with the King's Permiſſion; dated *September* the 4th 1351, at the Tower of *London*.

More Treaties for his Liberty. *P.* 723, 724, 725, 727, 728, 733, 736, 737, 746, 756, 758, 61, 787. 19. CONTINUATION of the Negotiations for *David*'s Liberty; dated as above, the 4th, 5th, and 6th of *September*, and at *Weſtminſter* the 3d of *November* 1351; at *Weſtminſter* the 1ſt of *February*, and the 18th of *March*; at *Windſor* the 28th of *March*, and at *Weſtminſter*, *December* the 6th 1352; at *Weſtminſter*, *July* the 7th and 13th, and *October* the 15th 1353; and at *Weſtminſter*, *June* the 18th 1354.

Edward's *Conceſſion to* Baliol's *Proteſt.* *P.* 748. 20. A CONCESSION to *Baliol*, that the Treaty on foot with *Scotland* ſhall not prejudice his Rights; dated *March* the 8th 1353, at *Weſtminſter*.

Another Conceſſion. *P.* 788. 21. *EDWARD*'s Letters Patent, by which he conſents that all the Overtures whatſoever which *Baliol* ſhou'd make in the Treaty then negotiating with him, relating to the Ceſſion of the Kingdom of *Scotland*, ſhall not do him any prejudice

Prejudice in caſe the Treaty be not concluded; dated *June* the 30th 1354, at *Weſtminſter*. *A.* 1354.

22. CONVENTIONS betwixt the *Engliſh* and *Scotch* Commiſſioners for the Liberty of *David Bruce*; dated at *Newcaſtle* upon *Tine*, *July* the 13th 1354. The Conditions were, 1. That he ſhould be at entire Liberty to go where he pleas'd: 2. That he ſhould pay King *Edward* 90000 Marks Sterling, in nine Years time, payable at the rate of 10000 *per Annum*: 3. That there ſhould be a Truce between *England* and *Scotland* till the whole Sum be paid: 4. That *Edward Baliol* ſhould be included in the Truce: 5. That *David* ſhould deliver up 20 Hoſtages. The reſt of the Articles relate to the Character of the ſaid Hoſtages, and the Security for the Payment. *Conventions for* David's *Liberty.* *P.* 793.

23. *EDWARD*'s and the *Black Prince*'s Ratifications of it; dated *October* the 5th 1354, at *Weſtminſter*. *Ratifications of it by the K. and P. of* Wales. *P.* 799, 800.

THESE Conventions were reduc'd into the Form of a ſolemn Treaty, which was ſign'd at *Berwick* the 12th of *November* following. 'Tis ſurprizing that no *Engliſh* or *Scotch* Hiſtorian has made mention of it. *Treaty about it.* *P.* 812. *An Omiſſion of our Hiſtorians.*

IN purſuance of this Treaty, *David* was conducted to *Newcaſtle* to be put into the Hands of the *Scots*; and it appears from ſeveral Acts of this Year, that they only waited for the Arrival of the chief Hoſtages to be exchang'd with the ſaid Prince: but the above-mention'd Treaty not being executed by reaſon of the Surprize of *Berwick*, which happen'd towards the middle of *December* 1354, *Robert Steuart*, Regent of *Scotland*, had a mind to renew the Negotiation in 1356, as appears from a full Power granted by the ſaid Regent to his Envoys, dated the 17th of *January* 1356, at *Perth*. *Regent of* Scotland's *Powers for a new Treaty.* *P.* 822.

Edw. III. *Perth.* This Affair was ſpun out till the Year 1357, that *David* was at length releas'd, as we ſhall find when we come to the next Volume of the *Fœdera*.

Baliol's *Ceſſions to* Edward. *P.* 832, 833, 834, 838, 839; 840, 842, 845.

24. *BALIOL*'s Ceſſion of the Kingdom of *Scotland*, and all its Dependencies, *&c.* to *Edward*; dated at *Roxburgh* and *Banbury*, *January* the 20th, 25th, and 27th; and at *Weſtminſter*, *March* the 12th 1356.

Conventions betwixt him and Edw. *P.* 836.

25. CONVENTIONS between *Edward* King of *England* and *Edward Baliol*, by which the former engag'd to pay the latter in lieu of the Crown of *Scotland* a yearly Penſion of 2000 *l.* Sterling, payable at four Terms; dated at *Banbury*, *January* the 20th 1356.

Edward's *Proclamation for maintaining the Laws of* Scotland. *P.* 846.

26. *EDWARD*'s Proclamation, wherein he promiſes to maintain the Laws and Cuſtoms of *Scotland* without Variation; dated *March* the 15th 1356, at *Weſtminſter*.

P. 859. *Commiſſion to treat about* David's *Liberty.* *P.* 847.

WE find by an Inſtrument dated at *Weſtminſter*, *Auguſt* the 6th 1356, that *Edward* deſir'd time of *Baliol* for the Payment of the ſecond Quarter of his Penſion, by reaſon of the great Expences he had been oblig'd to.

27. A COMMISSION to treat with the *Scots* concerning the Liberty of *David Bruce*; dated *March* the 25th 1356, at *Weſtminſter*.

Paſſport for the Scots *Envoys.* *P.* 875.

28. A PASSPORT for the *Scots* Envoys; dated at *Weſtminſter* the 13th of *December* 1346.

Other Foreign Affairs.

DURING the nineteen Years to which the Acts of this Volume relate, *Edward* had a Multitude of Negotiations with ſeveral Princes, eſpecially with reſpect to his grand Affair, I mean the War with *France*. But as it would run me to too great a length to account for all theſe

theſe Negotiations, I ſhall but juſt mention the Princes and others with whom he had to treat during that Term, to the end that ſuch as ſhall happen to want Recourſe to any of thoſe Articles may conſult the *Fœdera* it ſelf. *A.* 1351.

HERE are Negotiations therefore with the Emperor *Lewis* of *Bavaria*, the Towns of *Flanders*, the Duke of *Gueldre*, the Marquis of *Juliers*, and the Duke of *Brabant*, particularly the latter, about a Marriage which was propos'd between *Edward*, eldeſt Son to the King, and a Daughter of that Duke. It ſeems that the Pope refus'd a Diſpenſation for this Marriage, tho it was often deſir'd of him. *Summary of Edward's Negotiations.*

THERE's alſo a Treaty with the Earl of *Hainault*, *Edward's* Brother-in-law. After that Earl's Death there was a Difference between his two Siſters, the eldeſt of which, *Margaret*, was Widow to the Emperor *Lewis* of *Bavaria*, and *Philippa* the youngeſt had marry'd *Edward* III. They both laid claim to the Succeſſion of *Hainault*, *Holland*, and *Zealand*, as appears by ſeveral Acts in this Volume. *Diſpute betwixt his Qu. and her Siſter.*

HERE we alſo find certain Negotiations with *Alphonſo* IX. King of *Caſtile*, chiefly relating to the Marriage of *Joan*, *Edward's* eldeſt Daughter, with *Peter*, afterwards ſurnam'd the *Cruel*, who was *Alphonſo's* eldeſt Son. The Match being at laſt concluded, after tedious Negotiations, that Princeſs died at *Bourdeaux* in her way to her Spouſe. *Marriage of his Daughter.*

IN this Volume we likewiſe find ſome Acts which make mention of a certain *Spaniſh* Fleet that committed great Diſorders in the Channel, and which *Edward* went in Perſon to attack. The Advantage, he gain'd in the Action, procur'd a Truce of 20 Years with the *Spaniards*; which is dated at *London*, *Auguſt* the 1ſt 1351. *Truce of 20 Years with* Spain. P. 717.

HERE

Edw. III. HERE are Treaties alſo with the Kings of *Arragon*, *Portugal* and *Majorca*, *Philip* of *Navarre*, Brother to *Charles the Bad*; the Duke of *Auſtria*, the Marquis of *Brandenburgh*, the Emperor *Charles* IV. the Count of *Geneva*, the Dauphin of *Viennois*, *Godfrey* of *Harcourt*, and ſeveral Lords of *Guyenne*, and particularly with the Lord *de le Bret* or *d'Albret*.

Ranſom of Charles of Blois. *P.* 862. THERE are alſo ſeveral Acts in this Volume which relate to *Bretagne*, and to the Alliance with *John* of *Montfort*; and a Treaty made with *Charles* of *Blois*, who having been taken Priſoner at the Battel of *Rien* in 1347, was brought to *England*, where he ſtay'd till 1356, when he obtain'd his Liberty for a Ranſom of 700000 Crowns, payable at ſundry Terms, of which *Edward* forgave him one half, on condition that he would pay the other punctually at the Terms agreed on. The Act for this Purpoſe is dated at *Weſtminſter* the 10th of *Auguſt* 1356.

HERE are moreover ſeveral Propoſals for the Marriage of *Edward*'s Children; all which Articles furniſh Matter for an infinite number of Acts, which it wou'd be too tedious to give an Account of.

Domeſtic Affairs.

ENGLAND having enjoy'd a profound Peace during theſe 19 Years, there happen'd no Event at home of any Conſequence. Therefore all the Contents of this Article may be rang'd under ſome looſe Acts, of which theſe that follow are the moſt material.

Order for ſeizing the Tin of Corn. &c. *P.* 32. 1. AN Order to ſeize all the Tin of *Cornwal* and *Devonſhire*, to help defray the Expences of the War, by giving Security to the Proprietors;

tors; dated *May* the 10th 1338, at the Tower of *London*. *A.* 1341.

2. LOANS, made to the King by Abbeys, conſiſting of ſeveral Pieces of Plate belonging to Churches; in the Months of *May* and *June* 1338. *Loans to the K. by Abbeys.* P. 48, 49, 50, 39, 60.

3. A PERMISSION to dig in the County of *Devon* for Mines of Gold and Silver, on condition that the Proprietors of the Lands ſhould be at the Expence, and that the King ſhould have one third of the Gold or Silver when refin'd; dated at *Northampton*, *Auguſt* the 4th 1338, *Teſte Edwardo Duce Cornubiæ, &c. Cuſtode Regni.* *Permiſſion to ſearch for Gold and Silver Mines in* Devon. P. 71.

4. A PROHIBITION to pay either the King's Creditors, or the Aſſignments payable out of the Revenues, till the King's Return; dated *May* the 6th 1339, at *Antwerp*. *Payment of the K's Debts ſtopt.* P. 109.

5. A LICENSE to the Weavers of *Briſtol*, *&c.* to make Woollen Cloth without being liable to any Moleſtation from the King's Officers; dated at *Langley*, *November* the 25th 1339. *Licence for making Woollen Cloth.* P. 137.

6. AN Order for erecting a Staple of Wool, *&c.* at *Bruges*; dated at the Tower of *London*, *Auguſt* the 8th 1341. *A Wool Staple at* Bruges. P. 273.

7. A REPEAL of a Statute made in Parliament by the King's ſingle Authority, pretending that he had not given his Conſent to it, if he had not been afraid that the Parliament would break up without finiſhing the publick Affairs; dated *October* the 1ſt 1341, at *Weſtminſter*. *K's Repeal of a Statute made by himſelf.* P. 282.

8. AN Act for reverſing the Attainder of *John Maltravers*, becauſe contrary to the Laws of the Kingdom he had never been heard in his own Defence; dated *December* the 28th 1347, at *Guilford*. *Attainder of* Maltravers *revers'd.* P. 600.

'TIS

Edw. III. 'Tis very probable that this was the ſame *Maltravers* who was charg'd with the Murder of *Edward* II. for 'tis ſaid in this Act that he came to wait on the King at *Sluys* in *Flanders*. But this Reverſal was only a matter of mere Form, becauſe *Edward* granted it on condition that he ſhould appear in Court when ſummon'd.

A Wool Staple at Calais. P. 618.

9. An Order for erecting another Wool Staple at *Calais*; dated at *Weſtminſter*, *April* the 5th 1348.

Offer to elect the K. Emperor of Germany. P. 622.

10. The King's Credentials to his Ambaſſadors, to anſwer thoſe ſent from the *German* Electors to make him an Offer of advancing him to the Empire: 'Tis dated *May* the 10th 1348, at *Weſtminſter*.——We don't meet with this Anſwer in the *Fœdera*, but 'tis very well known from other Authorities that he refus'd this Dignity.

Order not to depart the Kingdom on account of the Plague. P. 668.

The Plague which ravag'd *England* during the Year 1349, gave occaſion for ſeveral Acts, of which there are theſe two remarkable.

The firſt is a Prohibition to leave the Kingdom upon account of the Peſtilence; dated *December* the 1ſt 1349, at *Weſtminſter*.

Order relating to Servants in time of the Plague. P. 693.

The ſecond is an Order whereby both Men and Women, who had no Eſtates or no Profeſſion to maintain themſelves, were oblig'd to enter into Service, for the Wages common to the Places where they liv'd, on pain of being impriſon'd till they could find Sureties for their Obedience. What gave occaſion to the Order was this: The Plague having carry'd off moſt of the Domeſtics in the Kingdom, it was a hard matter to get any; and thoſe that were inclin'd to go to Work, or Service, took that Opportunity to exact upon their Maſters.

Affairs

Affairs with the Court of Rome, *or relating to Religion.*

THE Uſurpations of the Popes in the matter of Collations to Benefices, and ſome Differences between the Archbiſhops about carrying the Croſs, are the chief Subject of the few Pieces in this Volume relating to Religion. Theſe that follow may be deem'd the moſt material.

1. AN Order to the Archbiſhop of *Canterbury* to revoke certain Cenſures, which he had denounc'd againſt the Commiſſioners charg'd by the King to make Inquiry into the Miſdemeanors of his Miniſters, of whom this Prelate was the chief. *Order againſt Eccleſiaſtical Cenſures.* P. 234.

QUOD ſi facere non curaveritis, ad vos tanquam Inimicum, & Rebellem noſtrum, & pacis Regni noſtri perturbatorem, quantum de jure poterimus, capiemus: i. e. Which if you do not take care to do, we ſhall proceed againſt you by Law as an Enemy, a Rebel, and a Diſturber of our Peace: 'Tis dated at *Weſtminſter, March* the 6th 1341.

2. A NOTIFICATION to two Chaplains and Commiſſioners of the Pope, of certain Articles relating to the Regal Rights and Prerogatives, to the end that they may not infringe upon them in their Judgment of ſuch Cauſes as are brought before them: 'Tis dated at the Tower of *London, July* the 28th 1342. *Notifications of the K's Prerogatives to the Pope's Commiſſioners.* P. 335.

3. A LETTER wherein *Edward* earneſtly intreats the Pope to revoke certain Orders contrary to the Prerogatives of the Crown, which, he ſays, he is reſolv'd to maintain: 'Tis dated at *Weſtminſter, May* the 12th 1343. *K. deſires the Pope to revoke ſome Orders.* P. 363.

AN

Edw. III.

Order against those that came for Benefices. P. 371.

4. An Order to arreſt all that came into the Kingdom with Proviſions or Bulls from the Pope, for Benefices depending on the King's Collation; dated at *Weſtminſter*, *June* the 15th 1343.

Another. P. 377.

5. A Prohibition, purſuant to a Reſolution of Parliament, to execute the Pope's Mandates, touching the Proviſion or Grant of Benefices to Strangers; dated at *Clarendon*, *July* the 23d 1343.

Another. P. 378.

6. An Order to arreſt all that brought Bulls into the Kingdom; dated as above *July* the 30th.

K's Letter to the Pope. P. 382.

7. The King's Letter to the Pope on this Subject; dated at *Weſtminſter*, *Auguſt* the 30th 1343, in which are theſe Words: *Novit igitur Deus Veritatis, eſſe verum quod tam Proceres, & Nobiles, quam Communitas Regni noſtri Angliæ, nuper in Generali Parliamento noſtro apud Weſtmonaſterium congregati, attendentes* Proviſorum exercitum qui Regnum noſtrum Angliæ in exceſſiva multitudine jam invaſit, *& perpendentes ac dolentes dampnum & præjudicium intolerabilia, quæ dicto Regno, ex hujuſmodi Proviſionibus, provenerunt, & provenire timentur per amplius in futurum, & impatientes dictorum doloris & præjudicii; propoſuerunt querelosè & clamoſe unanimiter, & dixerunt quod talia diutius tolerare non poterant, nec volebant.*

i.e. The God of Truth therefore knows it to be true, that not only the Lords, but the Commons of our Realm of *England*, in our Parliament at *Weſtminſter* aſſembled, conſidering *the Army of Proviſors which has already invaded our Kingdom of* England *in exceſſive numbers*, and weighing with Sorrow the intolerable Loſs and Prejudice which the ſaid Realm has already ſuſtain'd, and has cauſe to apprehend yet more here-

hereafter, and being impatient under the said Loſs and Damage, have loudly complain'd and declar'd one and all, that they cannot and will not bear ſuch things any longer. *A.* 1343.

8. Another Letter to the Pope on the ſame Subject, but much ſtronger: 'Tis dated at *Weſtminſter, Sept.* 10, 1343. and has theſe Words in it: *Sed (quod dolendum eſt) ipſius vineæ propagines degenerant in labruſcas, & exterminant illam apri de ſylva, ſingulareſque feræ depaſcunt eam, dum per impoſitiones & proviſiones ſedis apoſtolicæ (quæ ſolitò graviùs invaleſcunt) ipſius peculium, contra piam voluntatem & ordinationem donatorum, manus occupant indignorum, & præſertim exterorum; & ejus dignitates & beneficia pinguia perſonis conferuntur alienigenis, plerumque nobis ſuſpectis; qui non reſident in dictis beneficiis, & vultus commiſſorum eis pecorum non agnoſcunt, linguam non intelligunt, ſed animarum curâ neglectâ, velut mercenarii, ſolummodo temporalia lucra quærunt: & ſic diminuitur Chriſti cultus, animarum cura negligitur, ſubtrahitur hoſpitalitas, eccleſiarum jura depereunt, ruunt ædificia clericorum, attenuatur devotio populi. Clerici dicti regni, viri magnæ literaturæ, & converſationis honeſtæ, qui curam & regimen animarum poſſent ibi ſalubriter peragere, & forent pro noſtris, & publicis conſiliis opportuni, ſtudium deſerunt, propter promotionis congruæ ſpem ablatam, quæ divinæ ſcimus non eſſe placita voluntati.——— Nos autem Anglicanæ depreſſionem eccleſiæ, & exhæredationem coronæ regiæ, & mala prædicta, quæ diſſimulata diutiùs adjicerent veriſimiliter graviora, patulo cernentes intuitu, ad vos, ſucceſſorem apoſtolorum principis, qui ad paſcendum non ad tondendum oves dominicas, ac ad confirmandum, & non deprimendum fratres ſuos mandatum à Chriſto ſuſcipit, iſta deferimus, votivis affectibus ſupplicantes, quatenus,* &c. *Another.* *P.* 385.

But

Edw. III. *i.e.* But what is matter of Grief is, that the Slips of this very Vine are degenerated into a wild Vine, and the Boars out of the Wood do waſte it, and every wild Beaſt devours it, while by the Impoſitions and Proviſions of the Apoſtolic See (which now grow more inſupportable than ever) its own Subſtance, contrary to the pious Intent and Order of the Donors, is detain'd in the Hands of the unworthy, and eſpecially Foreigners; and its Dignities and fat Benefices are conferr'd upon Strangers, who for the moſt part are Perſons whom we ſuſpect, and who neither reſide on the ſaid Benefices, nor know the Face nor underſtand the Voice of the Flock to them committed; but wholly neglecting the Cure of Souls, like Hirelings, only ſeek temporal Gain; and ſo the Worſhip of Chriſt is impair'd, the Cure of Souls neglected, Hoſpitality withdrawn, the Rights of the Church loſt, the Houſes of the Clergy dilapidated, the Devotion of the Laity decay'd, the Clergy of the ſaid Kingdom, who are Men of great Learning and honeſt Converſation, and are able to perform the Cure of Souls effectually, and would alſo be fit for Ours and the publick Service, forſake their Studies, becauſe the Hopes of any reaſonable Preferment are thus taken away, which we know is not pleaſing to the Divine Will.——We therefore by this their Repreſentation plainly beholding the Depreſſion of the Church of *England*, and the Diſinheriſon of our Crown, with all the foreſaid Evils, which, if longer diſſembled, would probably very much increaſe, do now refer them unto you, who are the Succeſſor of the Prince of the Apoſtles, who receiv'd Command from Chriſt to feed, not to ſhear the Lord's Sheep, and

and to *ſtrengthen*, not to *oppreſs* his Brethren, heartily intreating that, *&c.* A. 1346.

9. A Memorandum concerning a Man who was taken up the 4th of *November* 1344, with nine Bulls of Proviſion to Benefices in his Cuſtody. *A Perſon arreſted with Bulls.* P. 843.

Notwithstanding all the Remonſtrances that *Edward* made to the Pope, it ſeems the latter had no Regard to 'em, ſo that the King was oblig'd to get ſatisfaction by ſome other means. For this end he ſeiz'd all the Revenues of the Benefices poſſeſs'd by Foreigners, in order to help defray the Charges of the War; and wrote a Letter of Excuſe to the Pope for ſo doing, which he dated from *Weſtminſter* the 12th of *February* 1346. *Benefices enjoy'd by Foreigners ſeiz'd.* P. 490.

The Popes did not only nominate to vacant Benefices, but alſo reſerv'd to themſelves, under various Pretexts, the Collation to Archbiſhopricks, Biſhopricks, and all the beſt Benefices; and granted Letters of Proviſion before they became vacant, for fear of being foreſtall'd. Here are ſeveral Bulls in this Collection containing ſuch Proviſions, particularly, *Popes fill up the beſt Livings before vacant.*

1. A Bull enjoining that the Biſhop of *Worceſter* be put in poſſeſſion of the Archbiſhoprick of *York*, as ſoon as it ſhall become vacant; dated at *Avignon* the 16th of the Calends of *November* 1352. *Bulls for Bpks before vacant.* P. 744.

2. Another to fill the See of *Worceſter*, when it ſhall become vacant by the Tranſlation of the Biſhop to the Archbiſhoprick of *York*; dated as before at *Avignon* the 11th of the Calends of *November*. P. 745.

3. A Bull of Proviſion for a Canonſhip of the Cathedral of *Litchfield*, tho there was none vacant, and for the firſt vacant Prebend: *Non obſtantibus de certo Canonicorum numero, &* *For a Canonſhip and Prebend.* P. 513.

Edw. III. *quibuſlibet aliis Statutis, & Conſuetudinibus ejuſdem Eccleſiæ contrariis, juramento, confirmatione Apoſtolicâ, vel aliâ quâcumque firmitate roboratis: i.e.* Notwithſtanding the certain number of Canons, and all other Statutes and Cuſtoms of the ſaid Church whatſoever to the contrary, whether bound by Oath, Apoſtolical Confirmation, or any other Security whatſoever. 'Tis dated at *Avignon* the 8th of the Ides of *June* 1346.

King's Injunction about Procurations. P. 558.

4. THE King's Prohibition to the Prelates to ſuffer the raiſing of Money in their Dioceſes, under the Title of *Procurations*, for the Cardinal Legates employ'd in *France* in the Negotiations of Peace; dated at *Reading*, *April* the 12th 1347, *Teſte Cuſtode.*

P. 630, 635.

5. A PERMISSION to raiſe thoſe *Procurations*, by reaſon of the good Services which the Legates had done the King; dated at *Weſtminſter*, *Auguſt* the 6th 1348, and at *Clarendon*, *September* the 5th following.

Order about the ABp. of Armagh's *carrying the Croſs.* P. 666.

6. AN Order to hinder the Archbiſhop of *Armagh*, pretending to be Primate of *Ireland*, from having the Croſs carry'd before him in *Dublin*; dated at *Weſtminſter*, *November* the 20th 1349.

His Quarrel thereupon with the ABp. of Dublin. P. 743.

7. A PERMISSION to the ſaid Prelate to be abſent from the Parliament aſſembled at *Dublin*, becauſe of the Quarrel betwixt him and the Archbiſhop of that See about carrying the Croſs: This Act is dated at *Weſtminſter*, *September* the 12th 1352.

Pope's Nuncio forbid to raiſe firſt Fruits, &c. P. 747.

8. A PROHIBITION to the Pope's Nuncio to raiſe the firſt Fruits of the Benefices for the Pope under pretence of the Collations, or Reſervations of the Court at *Rome*; dated at *Hertford*, *January* the 20th 1353.

9. A

9. A LETTER to Pope *Innocent* VI. upon his Exaltation to St. *Peter's* Chair; dated at *Weſtminſter*, *June* the 20th 1353. *A.* 1353.

K's Letter to the Pope. P. 752.

10. A PROHIBITION to moleſt the Archbiſhop of *York* for bearing the Croſs in *London*; dated at *Weſtminſter*, *April* the 1ſt 1353.

ABp. of York *carries the Croſs in* London. *P.* 753.

11. ANOTHER againſt moleſting certain Clergymen at *Bourdeaux*, who were marry'd, notwithſtanding they had had the Tonſure; dated at *Sandwich*, *July* the 25th 1355.

Marry'd Clergy. P. 824.

12. A LICENSE to *John Blome* of *London*, to go to the Monaſtery of *Glaſtenbury*, and dig for the Corpſe of *Joſeph* of *Arimathea*, according to a divine Revelation which he ſaid he had had upon that Subject in the Year 1344. 'Tis dated at *Weſtminſter*, *June* the 10th 1345.

Permiſſion to ſearch for the Corpſe of Joſeph *of* Arimathea. *P.* 458.

WE come now to the Sixth Volume of the Fœdera, *which we ſhall introduce, as we have done the two former Volumes, with ſuch part of Mr.* Rymer's *Dedication of it to Queen* Anne, *as opens a farther View of the glorious Reign of King* Edward III.

May it pleaſe your Majeſty,

'AFTER the many Leagues and Alliances in former Volumes, in the laſt (that was preſented to your Majeſty) appear'd the Operations of War, and a wonderful Succeſs in Battels.

'IN this Book TWO CAPTIVE KINGS (whom God had given into the Hands of your moſt noble Progenitor *Edward* III.) are ranſom'd and ſet at Liberty.

'THEREUPON enſu'd (that commonly call'd) THE GREAT PEACE; a Treaty the moſt ſolemn, and the moſt memorable that ever had been form'd between two contending Nations.

'THIS furthermore contains, beſides the Peace with *France*, one Exploit of War on the other ſide of the *Pyreneans*, one deciſive Blow at *Nazara*.

'IN ſhort, your Majeſty, with this Volume, gives to the World a Partition of *France*, and the Conqueſt of *Spain*, *&c.*

[*To return to Mr.* Rapin.] THIS ſixth Volume of the *Fœdera* contains ſixteen Years of the Reign of *Edward* III. *viz.* from the beginning of the Year 1357, to the end of 1372. Foraſmuch as *Edward*'s Affairs with *France* are the principal Subject of this Volume, I ſhall inſiſt

fiſt chiefly on this Article, the reſt containing little remarkable. *A.* 1357.

I. *The Affairs betwixt* Edward *and* France.

Truce with France, and King John brought Priſoner to London.

IMMEDIATELY after the glorious Victory which *Edward* the Son gain'd near *Poictiers*, the ſaid Prince repair'd to *Bourdeaux*, whither the Pope ſent a Cardinal to him, to negotiate a Truce in favour of *France*. A Truce being accordingly concluded for two Years, the Prince of *Wales* ſet out in the Month of *April* 1357, to conduct King *John* to *London*, where * *Edward* receiv'd the Captive King with as much Honour as if he had come purely to pay him a Viſit.

His Son takes the Title of Regent.

NEVERTHELESS the Impriſonment of this Prince occaſion'd ſuch Troubles in *France*, that the Dauphin his Son, who took the Title of Regent, had no hopes of procuring his Father's Liberty. He had an Enemy, in the King of *Navarre*, who knew ſo well how to improve that fatal Conjuncture in order to ſow

* HE was met in *Southwark* by above 1000 of the chief Citizens of *London* on Horſeback: The Captive being mounted on a noble white Courſer in token of Sovereignty, and the Conqueror riding by his ſide on a little black Hobby, as if he ſhunn'd all Suſpicion of a Triumph. He was receiv'd by the Lord Mayor of *London*, &c. in all their Formalities, with the City Pageants; and in the Streets thro' which he paſs'd to *Weſtminſter*, the Citizens hung out all their Plate, Tapeſtry, and Armour, ſo that the like had never been ſeen before in the Memory of Man. King *Edward* receiv'd him on a Royal Throne in *Weſtminſter* Hall, from whence he roſe haſtily and careſs'd him. He the ſame Day treated the *French* King, his Son *Philip*, and the reſt of the noble Captives at a Princely Rate; and till the Palace of the *Savoy* was ready for him, he lodg'd him in his own Court. *See* Barnes's *Hiſtory*, *p.* 526.

Edw. III. Diſcord in the State, that it was not poſſible for the Regent to make Preparations for renewing the War, as ſoon as the Truce ſhould be expir'd. King *John*, who was thorowly inform'd of all thoſe Diſorders, and ſaw plainly that there was nothing to expect from the Sword, hop'd to procure his Liberty himſelf, by negotiating a Treaty of Peace with *Edward*. This Treaty, which cou'd not but be very advantageous to *England*, conſidering the Situation of Affairs, having been ſent to *France*, the General Aſſembly of the States refus'd to ratify it, and promis'd the Dauphin to enable him to obtain Terms more advantageous, but were not as good as their Word.

K. John treats with K. Edward for his Liberty.

He is ſent to a Caſtle in Lincolnſhire.

EDWARD conſequently deſpairing of ſuch a Peace as he wiſh'd for, reſolv'd to take up the Cudgels again; and as he thought that *John* meant nothing but to amuſe him in the late Negotiation, he treated him with leſs Regard, and caus'd him to be ſhut up in the Caſtle of *Sommerton*. Mean time he made Preparations to carry the War into the very Heart of *France*, not doubting but he ſhould be a vaſt Gainer by the Confuſion which then reign'd in that Kingdom. He ſet out from *England* therefore in the Month of *October* 1359, with 1000 Sail of Ships, and an Army of 100000 Men. With this numerous Hoſt he made himſelf Maſter of many places in *Normandy*, where he put his Army into Winter Quarters; and in the Month of *March* 1360, he advanc'd towards *Champagne* with a Deſign to take in *Rheims*, where 'tis ſaid he reſolv'd to be crown'd. But miſſing his Aim, he caus'd the Gates of *Sens* to be open'd to him; and then turning towards *Burgundy*, he threaten'd that Province with entire Deſolation. The Duke of *Burgundy*,

K. Edward ſails with a mighty Army to France.

His Progreſs in Normandy.

In Burgundy.

dy, who was not in a Condition to oppoſe him, reſolv'd to capitulate upon the beſt Terms he could, in order to ſave his Dominions from being pillag'd; and obtain'd a particular Truce for three Years, on Condition of paying down 200000 Florins, and furniſhing the *Engliſh* Army with Proviſions. *A.* 1360.

As *Edward* quitted *Burgundy*, he march'd towards the Iſle of *France* with a Deſign to draw the Regent to a Battel: But that Prince was too wiſe to hazard the Safety of *France* ſo raſhly, and therefore lay cloſe in *Paris*, ſo that all *Edward*'s Bravadoes could not fetch him out. The Siege of *Paris* ſeeming an Enterprize too difficult for the King of *England*, he turn'd back towards *la Beauſſe*, with a Deſign to go and refreſh his Army on the Banks of the *Loire*. While he was encamp'd near *Chartres*, a terrible Storm aroſe, with Thunder and Hail of a prodigious Bigneſs, which kill'd 3000 Horſes, and above 1000 of his Soldiers. This extraordinary Event, which ſeem'd to denote the Wrath of Heaven, ſtruck this Prince with ſuch a Terror, that turning towards the Steeple of the Church of *Chartres*, he fell on his Knees, and made a Vow to give Peace to *France* upon equitable Terms. With this Reſolution he ſent his Son the Prince of *Wales* to *Bretigny*, whither the Dauphin likewiſe repair'd; and in that very place thoſe two Princes, after a Negotiation which laſted not above a Week, concluded a Treaty of Peace, which in all Appearance was much the ſame with what had been agreed on at *London* the Year before.

Great Storm of Thunder and Hail.

Treaty of Bretigny.

By the Treaty of *Bretigny*, the Crown of *France* yielded to the King of *England* a great number of Provinces in full Sovereignty, and, as it were, made a Partition of the Kingdom

Edw. III. with the *Engliſh*. Beſides this, King *John* engag'd to pay three Millions of Crowns of Gold for his Ranſom, and to deliver up ſeveral Hoſtages, of whom five ſhould be Princes of the Blood. In purſuance of this Treaty King *John* was conducted to *Calais*, where he was ſet at liberty after he had ratified the Treaty, and given all the other Securities that *Edward* was pleas'd to demand of him.

K. John ranſom'd and releas'd.

When he was arriv'd at *St. Omer*, he ratified every thing that he had done at *Calais*, ſwore to the Peace again, and made his eldeſt Son *Charles*, his other Sons, and twenty of the beſt Noblemen in the Kingdom take the ſame Oath. In fine, he did every thing that he cou'd to ſhew that what he had done was voluntary, altho he was a Priſoner. And he made a greater Diſcovery of his Sincerity afterwards, by punctually executing the Treaty of *Bretigny*, two Articles excepted: The firſt related to the County of *Gavre* in *Gaſcoigne*, and to the Territory of *Belville* in *Poictou*, about which ſome Diſpute aroſe: The ſecond was with reſpect to his Ranſom, which it was not poſſible for him to pay at the Terms preſcrib'd, becauſe of the ill State of his Kingdom.

Mean time, the Non-Execution of theſe two Articles was the reaſon that *Edward* detain'd the Hoſtages in *England*. Among theſe there had been four that were call'd Lords of the Flower *de Lis*, *viz.* the Duke of *Orleans*, Brother to the King of *France*, the Dukes of *Anjou* and *Berry*, the King's Sons, and the Duke of *Bourbon*. As theſe Princes were quite weary of *England*, *Edward* was willing to ſet them at Liberty, on condition that the County of *Gavre* and the Territory of *Belville*, which occaſion'd his Quarrel with King *John*, ſhould be

be deliver'd up to him. But juſt as they were at the point of executing this Agreement, which was ratified by the King of *France*, the Princes who were to be deliver'd being already conducted to *Calais*, the Duke of *Anjou* retir'd without leave, and never return'd more: His ill Example was follow'd by four other Hoſtages of an inferior Rank; and by their Eſcape the Meaſures which had been concerted for the Liberty of the other Princes were entirely broke. *A.* 1360.

'TIS hard to gueſs the reaſon why *John*, who had acted ſo ſincerely in the Execution of the Treaty, did not oblige the Prince his Son to return into *England*, or why he did not ſend Prince *Philip* his fourth Son thither, or at leaſt ſome other Hoſtages, to ſupply the place of the Duke of *Anjou*. Whatever Cauſe it was, his taking a Reſolution ſoon after to return to *England* made ſome do him the Honour to ſay, that it was to throw himſelf again into Priſon, in order to make Reparation for his Son's Crime, and to ſhew that he was not conſenting to his Eſcape. But of this there's not the leaſt Shadow of Probability, becauſe by the Treaty he was only oblig'd to ſend back the Duke of *Anjou*, or to give the King of *England* ſome Satisfaction by ſending him other Hoſtages in the Duke's Room. Beſides, he had already executed the moſt important Articles of the Treaty, nothing remaining to be determin'd but the Affair of *Gavre* and *Belville*, and the reſidue of his Ranſom Money, of which he had already pay'd near a Million. Conſequently there was not the leaſt Neceſſity for his ſurrendring himſelf again a Priſoner to diſcharge his Faith. 'Tis ſtill more ridiculous to aſſert, as ſome have done, that his Love for a Lady at the Court of *England* made him return to *London*; for can it be

*Edw.*III. be imagin'd that Prince of 50 Years of Age, ſhould abandon a Kingdom in ſo bad a Condition as his was in then, to follow the Impulſe of a fooliſh Paſſion *? They who tell us that he had a mind to ſettle with *Edward* the Expedition of a Croiſado, of which the Pope had declar'd him General, ſeem to have more reaſon for what they ſay, tho even this is at moſt but Conjecture. Whatever was the Motive of it, 'tis certain that he return'd to *London*, and that there he died ſome Months after, *viz.* on the 8th of *April* 1364.

K. John returns to London, and dies there.

Battel of Avray, and Treaty of Guerande.

In *September* following, the famous Quarrel between the Families of *Blois* and *Montfort* was decided by the Battel of *Avray*, where *Charles*

* Mr. *Barnes* takes notice that many of our Writers indiſcreetly ſurmiſe, as if one occaſion of King *John*'s coming to *England* at this time, was for Love of the Counteſs of *Salisbury*: which Opinion, ſaith he, the noble Lord *Orrery* hath authoriz'd with his excellent Pen, in his Play call'd the *Black Prince*. But he wou'd have it conſider'd that my Lord wrote a Poem for Delight, and not a Hiſtory for the Eſtabliſhment of Truth. Therefore he cannot pardon Sir *Richard Baker*, and others of his Character: For, ſays he, if they mean by the Counteſs of *Salisbury*, the firſt Earl of *Montague*'s Lady, who was *Catherine*, Daughter of the Lord *Grandiſon*, ſhe had been dead above 12 Years: If they refer to the fair Lady of *Kent*, ſhe was marry'd two Years before to Prince *Edward*, and was now with him in *Aquitain*, of which King *John* cou'd not be ignorant: And if they be forc'd to own the Lady *Elizabeth*, Daughter to the Lord *Mohun*, who was Wife to the ſecond Earl of *Montague*, and the only Counteſs of *Salisbury* at this time; he defies them to bring the leaſt Shadow of Authority for it. And upon the whole Mr. *Barnes* profeſſes a great Reſentment to ſee the Honour not only of a noble Lady, but alſo of two Kings, *John* and *Edward*, who are both ſaid to have been in Love with her, thus ſhamefully traduced by Men of no Induſtry, or elſe of no Honeſty.

of

of *Blois* was kill'd. This Battel was follow'd with the Treaty of *Guerande*, which put *John* of *Montfort* in Poſſeſſion of *Bretagne*. *A.* 1366.

The Black Prince *made Prince of* Guyenne.

AFTER the Peace of *Bretigny*, *Edward* had in 1362. erected the Dutchy of *Guyenne* into a Principality, with which he had inveſted *Edward* his eldeſt Son. This Prince was gone to keep his Court at *Bourdeaux*, where he led an unactive Life, very unſuitable to his warlike Temper, the Peace giving him no manner of Opportunity to exerciſe his Valour. But in 1366, he was call'd out of this State of Inactivity by *Peter* ſurnam'd the *Cruel*, King of *Caſtile*, who having been drove out of his Dominions by *Henry* Count of *Traſtemare*, his Baſtard Brother, went to *Bayonne* to implore the Aſſiſtance of the Prince of *Wales*. As *France* naturally favour'd *Henry*, whom ſhe had plac'd upon the Throne of *Caſtile*, this was a ſufficient Reaſon to induce the *Engliſh* Prince to eſpouſe the Intereſt of *Peter*. Therefore he aſſembled a powerful Army in his Principality; and after having made a Treaty with the King of *Navarre*, who gave him Paſſage into his Dominions, he repair'd to the Frontiers of *Caſtile*, where he met *Henry*, who was advanc'd to diſpute his Entrance into that Kingdom. It was hard by the little Town of *Najara* that theſe two Princes fought a bloody Battel, in which the *Caſtilians* were entirely defeated. The Prince of *Wales*'s Victory was follow'd with the Reſtoration of *Peter*, who inſtead of making an Acknowledgment for ſo great a Piece of Service, ſuffer'd the beſt part of that Army, which had fought for him ſo valiantly, to periſh with Hunger and Miſery. This perfidious Action oblig'd the Prince of *Wales* to quit *Caſtile*, where he had contracted a Diſtemper he never

He reſtores Peter *K. of* Caſtille *to his Dominions by the Victory at* Najara.

Peter's *baſe Ingratitude.*

Edw. III. ver got rid of, in order to return to *Guyenne* with the reſt of his Troops, who had Reaſon to repent of their Expedition, glorious as it was.

Prince of Wales *forc'd to diſband his Soldiers without Pay, who thereupon ravage all* Guyenne.

As ſoon as the Prince came to *Bourdeaux*, he diſbanded his Army without paying it, having taken no Meaſures to find the Money, becauſe he had depended upon the Faith of *Peter*, who had engag'd to bear the whole Expence of the War. The Troops, when thus diſbanded without their Pay, thought they had Authority to get it where they could: Therefore they divided themſelves into ſeveral little Bands, under the Conduct of ſome Officers of Reputation, and committed a multitude of Ravages in *Guyenne*. The Prince of *Wales*, who was not in a Condition to ſatisfy them, and who could not prevail on himſelf to puſh Soldiers who had ſerv'd him ſo well to the utmoſt Extremity, only intreated them to commit their Ravages elſewhere. Whether it was in reſpect to this Prince, or whether thoſe Troops thought they could get more Booty in other Parts, they fell into the next adjacent Provinces of *France*, where they committed extravagant Outrages. *Charles* V. then upon the Throne, complain'd of it as a Breach of the Treaty; but he was anſwer'd that they were Perſons unauthoris'd, and that he might fall upon them in what manner he pleas'd, without *England*'s taking their part. Mean time, to give him yet greater Satisfaction, *Edward* publiſh'd a Proclamation recalling all thoſe Vagabonds, declaring them, in caſe of Refuſal, Traitors and Rebels, and confiſcating all their Eſtates. Tho, after ſuch a Declaration, it was the buſineſs of *France* to find Ways and Means to get rid of thoſe Plunderers, yet the Prince of *Wales* was afraid leſt the

Edward's *Proclamation againſt them.*

the Affair ſhould end in a War, of which he might be charg'd as the Author. To prevent this Inconvenience, he ſtudy'd Methods to ſatisfy thoſe Troops, by impoſing a Tax upon his Dominions, call'd *Fouage*, or Smoke-Money, becauſe it was laid upon every Hearth or Chimney. This Expedient bid fair for Succeſs, if after the Peace of *Bretigny*, the King his Father had not unhappily revok'd ſeveral Grants which he had made to the principal Lords of *Guyenne*, at a time when his Affairs requir'd him to make ſure of the Fidelity of the *Gaſcons*. This Revocation ſo incens'd thoſe Noblemen, that they reſolv'd to be reveng'd; and the new King of *France* was not wanting to incite them underhand. We ſhall find hereafter that this Prince had already form'd a Deſign to break the Peace, to have an occaſion to recover thoſe Provinces which *France* had loſt ſince the Treaty of *Bretigny*. The Nobility of *Guyenne*, who found themſelves ſupported by the King of *France*, incited their Vaſſals and Tenants to complain to them of the Chimney Tax newly impos'd; and having receiv'd their Complaints, they carry'd them to the Prince, by whom they were but ill receiv'd. Upon his Refuſal to redreſs this pretended Abuſe, they apply'd to the King of *France*, ſuppoſing that he was ſtill Sovereign of *Guyenne*, notwithſtanding his Renunciation of that Sovereignty; and begg'd him to grant them Letters of Appeal. *Charles* maintain'd them for a time at *Paris*, till his Affairs were ready; and at length granted them what they deſir'd. In conſequence of this Appeal, he caus'd the Prince of *Wales* to be cited before the Court of Peers, to vindicate himſelf againſt the Complaints of his Subjects. The Prince making Anſwer that he wou'd not

A. 1343.

He impoſes a Chimney Tax.

His Subjects complain of it.

Charles *ſummons him to the Court of Peers.*

Edw. III. fail to appear at the Head of 60000 Men, *Charles* caus'd War to be declar'd againſt *Edward* by a Footman, becauſe the Prince had taken ſome pretext to arreſt thoſe who had brought him the Citation.

Declares War againſt him.

As we find but few Circumſtances of this War in our Collection of the publick Acts in the *Fœdera*, I ſhall content my ſelf with barely relating the Succeſs of it, which was very fatal to *England*. Immediately after the Declaration of the War, *Edward* ſaw himſelf robb'd of the County of *Ponthieu*, and heard at the ſame time that the greateſt part of *Guyenne* was revolted. As he found himſelf under an indiſpenſable Neceſſity to renew the War, he reſum'd the Title of King of *France*, which he had dropp'd ever ſince the Treaty of *Bretigny*; but the Title procur'd him no manner of Advantage. *Bertrand du Gueſclin*, Conſtable of *France*, made great Progreſs in *Guyenne*, and the neighbouring Provinces; inſomuch that the Prince of *Wales*, whoſe Illneſs was turn'd into a perfect Dropſy, cou'd not oppoſe his Arms. On the contrary, after having ſeverely puniſh'd the City of *Limoges* for its Rebellion, he was oblig'd to return into *England* for the Recovery of his Health, leaving *John* Duke of *Lancaſter*, his Brother, in his place.

Edward *reſumes the Title of* K. *of* France.

His ill Succeſs, Sickneſs and Return to England.

Not long after, the Duke marry'd the eldeſt Daughter of *Peter the Cruel*, and immediately took the Title of King of *Caſtile*. This Enterprize oblig'd the Baſtard *Henry* to unite himſelf more cloſely with *France*, and to give the Conſtable powerful Aſſiſtance by Sea to beſiege *Rochel*. *Edward* did what he cou'd to relieve the place, by a Fleet commanded by the Earl of *Pembroke*, which was beat by the *Spaniards*, and *Rochel* was taken. Afterwards, *Du Gueſclin* advanc'd

Rochel *beſieg'd and taken.*

advanc'd into *Poictou*, and laid ſiege to *Thouars*, to which all the Nobility of the Province was retir'd. That Town being in no Condition to hold out long, the Noblemen of *Poictou* capitulated, and promis'd to own the King of *France* for their Sovereign, if the King of *England*, or one of his Sons, did not come into *Poictou* before *Michaelmaſs*, with an Army ſtrong enough to give Battel. *Edward* hearing of this Capitulation, order'd a Fleet to be fitted out, on which he embark'd about the end of *Auguſt*, to ſave that Province; but the contrary Winds conſtantly oppoſing his Paſſage for above a Month, *Thouars* was taken from him, with all the reſt of *Poictou*. *A.* 1375. *All Poictou reduc'd.*

IN one word, this War was ſo fatal to the *Engliſh*, that they had nothing left of all the Conqueſts they had made in *France*, but the ſingle Town of *Calais*. Affairs being come to this Paſs, the King of *France* conſented to a Truce, which was concluded on the 11th of *February* 1375, and afterwards prolong'd to the 1ſt of *April* 1377. *Edward* died the 21ſt of *June* this ſame Year, three Months after the Expiration of the Truce. *Truce with France.*

THE moſt important Acts in this ſixth Volume of the *Fœdera*, with reſpect to the Affairs of *France*, are theſe.

1. A TREATY of Truce made at *Bourdeaux*, *March* the 23d 1357, to laſt till *Eaſter* 1359. *Another.* *P.* 3.

2. A PASSPORT for a Cardinal coming to *England* to negotiate a Peace, with a Retinue of 100 Domeſtics, and 150 Horſes; dated at *Weſtminſter*, *June* the 15th 1357. *P.* 21.

3. AN Order to conduct King *John* to the Caſtle of *Sommerton*; dated *January* the 2d 1358, at *Weſtminſter*. This was after the States of *France* had refus'd to approve of the Articles of *Order to carry K.* John *to* Sommerton. *P.* 113.

Edw. III. of Peace agreed on at *London* betwixt the two Kings.

4. A PASSPORT for the Deputies of *Languedoc* going to wait on King *John* in *England*; dated *February* the 13th, at *Weſtminſter*. This Province diſtinguiſh'd it ſelf among the reſt by its Zeal for its Sovereign.

P. 117.

The Truce prolong'd. *P.* 121.

5. A PROLONGATION of the Truce to the 24th of *June* following; dated at *London*, *March* the 18th 1359.

Edward's Letter to the two ABps. *P.* 134.

6. *EDWARD*'s Letter to the two Archbiſhops of *England*, wherein he complains of his being deceiv'd in the Negotiations of Peace; and as he is ready to take Arms again, he charges both thoſe Prelates to appoint Prayers to God for the happy Succeſs of his Expedition. They are dated *Auguſt* the 12th 1359, at *Weſtminſter*.

His embarking for France. *P.* 141.

7. A MEMORANDUM of the Day that *Edward* embark'd for *France*, *viz.* the 28th of *October* 1359.

His particular Agreement with the D. of Burgundy. *P.* 161.

8. THE Agreement made with the Duke of *Burgundy*, containg a particular Truce of three Years for that Province, on the Duke's Payment of a Sum of 200000 Deniers of Gold *, call'd *Moutons*, within the Term of one Year; dated *March* the 10th 1360, at *Guillon* in *Burgundy*.

Pope's Bull to ſecure the Churches of France *from pillage.* *P.* 172.

9. A BULL of *Innocent* VI. to exempt the Churches of *France* from Pillage; dated at *Avignon* the 6th of the Calends of *May* 1360.

* AUTHORS are not agreed what this Sum was; *Mat. Villani* makes it 100000 Moutons, *Paradin* calls it 200000 Florins, *Walſingham* and an old *Engliſh* Manuſcript in the Library of *Chriſt-Church-College* at *Cambridge*, makes it only 70000 Florins, but *Mezeray*, *Hollinſhed*, *Speed*, and *Barnes* call it 200000 Florins of Gold, or 35000 *l.* Sterling.

10. ORDER

10. ORDER to carry King *John* to the Tower of *London*, *Teſte Cuſtode*, at *Reading* the 28th of *April* 1360. *A.* 1360. K. John *committed to the Tower.* *P.* 173.

11. TREATY concluded at *Bretigny* near *Chartres*; dated *May* the 8th 1360. *Treaty at* Bretigny. *P.* 178. *&c.*

NOTWITHSTANDING the length of this Treaty, which contains 40 Articles, 'tis abſolutely neceſſary to make an Extract of it, becauſe it ſerves as a Foundation for moſt of the Acts of this Volume, and many of the next; And it may be ſaid, that 'tis almoſt impoſſible to underſtand the Hiſtory of that time fully without the knowledge of this Treaty.

Article I. *Imprimis*, THE King of *England*, beſides what he holdeth in *Guyenne* and *Gaſcoigne*, ſhall have for himſelf and his Heirs for ever, and ſhall hold in like manner as the King of *France*, or his Son, or their Anceſtors, Kings of *France*, did hold them, the Provinces of *Poictou*, *la Saintoigne*, *l'Agenois*, *le Perigord*, *le Limouſin*, *le Quercy*; the Country of *Bigorre*, that of *Gaure*, *Angouleſme*, and the Land of *Rovergne*. And,

II, III, IV, V, VI. *MONSTREVIL*, the Earldom of *Ponthieu*, Town and Territory of *Calais*, the Earldom of *Guiſnes*, and all the Iſlands adjacent to the Countries above-nam'd.

VII. *Item*. 'TIS agreed that the King of *France* and his eldeſt Son ſhall, within a Year after *Michaelmaſs* next enſuing, transfer to the King of *England* all the *Honours*, *Obediences*, *Homages*, *Allegiances*, *Vaſſalages*, *Fiefs*, *Services*, *Recogniſances*, *Rights*, *mere and mixt Empire*, *high and low Juriſdictions*, *Reſorts*, *Safeguards*, *Patronages of Churches*, and all manner of *Lordſhips* and *Sovereignties*, with all the Rights which they have, or may have had under any Title or Colour of Right veſted in them, or the

Edw. III. Crown of *France*, to the Places before-nam'd, and their Dependencies, without reſerving any thing for them or their Succeſſors. Alſo the ſaid King and his eldeſt Son ſhall command by their Letters Patent all Prelates, Counts, Viſcounts, Barons, Nobles, and Citizens to obey the King of *England* and his Heirs, and ſhall diſcharge them of all Homages, Fealties, Oaths, Obligations, Subjections and Promiſes made by any of them to the Kings and Crown of *France*.

VIII. That all Alienations made within 70 Years paſt that the Kings of *England* were diſpoſſeſs'd of thoſe Provinces, ſhall be repeal'd and aboliſh'd.

IX. That the King of *England* ſhall have and hold all the Places above-mention'd, which did not belong to his Predeceſſors, in the ſame manner as the Kings of *France* have held them hitherto.

X. That all Places in the ſaid Countries, which belong'd to the King of *France* on the Day of the Battel of *Poictiers*, ſhall remain to the King of *England*.

XI. That the King of *France* and his eldeſt Son ſhall transfer to the King of *England* all manner of Lordſhip and Sovereignty over the aforeſaid Places; and that the Subjects thereof ſhall be Liegemen to the Kings of *England*, who ſhall hold the ſaid Countries as Liege-Sovereigns, and as Neighbours to the Realm of *France*, without recognizing any Sovereign, and without being ſubject to any Recognizance or Service to the Crown of *France*.

XII. That the King of *France* and his eldeſt Son ſhall expreſly renounce the Sovereignty of the ſaid Countries, and that the King of *England* and his eldeſt Son ſhall renounce

nounce all things to which the preſent Treaty doth not give them a Right, eſpecially the Title and Crown of *France*, the Homage and Sovereignty of the Duchies of *Normandy* and *Touraine*, and the Counties of *Anjou* and *Maine*, the Homage of *Bretagne*, and the Earldom of *Flanders*, and in general all other Demands, *&c.* *A.* 1360.

XIII. THAT the King of *England* ſhall cauſe the King of *France* to be conducted to *Calais* within three Weeks after *Midſummer-day* next, at the Expence of the ſaid King of *England*, except only the Charges of the King of *France*'s Houſhold.

XIV. THAT the King of *France* ſhall pay the King of *England* three Millions of Crowns of Gold (two of which make a Noble) *viz.* 600000 Crowns, four Months after his Arrival at *Calais*, and afterwards 400000 every Year, till the whole Sum is paid.

XV. THAT as ſoon as the King of *France* has paid the firſt 600000 Crowns, and given the Hoſtages here under-nam'd to the King of *England*, with the Town of *Rochel*, and the Earldom of *Guiſnes*, he ſhall be ſet at Liberty, on condition that he ſhall not make War againſt the King of *England* till the Treaty is fully executed.

The Hoſtages that are to be deliver'd to the King of England, *as well Priſoners taken at the Battel of* Poictiers, *as others, are,*

Lewis Earl of *Anjou* (afterwards Duke.)
John Earl of *Poictiers*, afterwards Duke of *Berry*. } *Both Sons to King* John.
Philip Duke of *Orleans*, King *John*'s Brother.

Names of the Hoſtages for K. John.

Edw. III.

The Duke of *Bourbon.*
The Earl of *Blois*, or his Brother.
The Earl of *Alenſon*, or his Brother.
The Earl of *St. Pol.*
The Earl of *Haxcourt.*
The Earl of *Porcien.*
The Earl of *Valentinois.*
The Earl of *Breme.*
The Earl of *Vaudemont.*
The Earl of *Forreſt.*
The Viſcount of *Beaumont.*
The Lord of *Coucy.*
The Lord of *Fienles.*
The Lord of *Preaux.*
The Lord of *St. Venant.*
The Lord of *Garentieres.*
The Dauphin of *Auvergne.*
The Lord of *Hangeſt.*
The Lord of *Montmorency.*
Lord *William* of *Craon.*
Lord *Lewis* of *Harcourt.*
Lord *John de Ligny.*

The Priſoners who are to be Hoſtages, are,

Philip of *France* (who was afterwards Duke of *Burgundy*) King *John*'s Son.
The Earl of *Eu.*
The Earl of *Longueville.*
The Earl of *Ponthieu.*
The Earl of *Tankerville.*
The Earl of *Joigny.*
The Earl of *Sancerre.*
The Earl of *Dammartin.*
The Earl of *Ventadour.*
The Earl of *Salbruck.*
The Earl of *Anceurs.*
The Earl of *Vendoſme.*

The

The Lord of *Craon.*
The Lord of *Derval.*
The Marſhal of *Denham.*
The Lord of *Aubigny.*

XVI. THAT the ſixteen Priſoners, who are to remain Hoſtages, ſhall no longer be deem'd Priſoners, but diſcharg'd without paying any Ranſom, *&c.*

XVII. IF any of the Hoſtages goes out of *England* without leave, the King of *France* ſhall be oblig'd to ſend another as good, within four Months after the Bailiff of *Amiens*, or the Mayor of *St. Omer* ſhall be certify'd thereof by the King of *England.* And when the King of *France* departs from *Calais*, he may carry with him ten of the Hoſtages, ſuch as the two Kings ſhall agree upon. And it ſhall ſuffice that of the foreſaid number of forty * there remain the full number of thirty.

XVIII. THAT the King of *France* within three Months after his Departure from *Calais*, ſhall deliver up as Hoſtages four of the moſt conſiderable Burghers of *Paris*, and two Per-

* THE Reader may obſerve that the Names of the Hoſtages, tranſcrib'd as above from the *Fœdera*, amount to 41. Mr. *Barnes* makes them exactly to anſwer the number of 40, by leaving out the Lords of *Prienles*, *Preaux* and *St. Venant*, and by altering *or* after the Names of the Earls of *Blois* and *Alencon* into *and*; in which he corrects all the Copies, whether *French* or *Latin*. Mr. *Barnes* alſo makes this a diſtinct Article N° XVIII. contrary to the *Latin* and *French* Originals in the *Fœdera*, and to *Du Cheſne*; his Authorities for it are an *Engliſh* Manuſcript of Dr. *Spencer*, and a *Latin* one of Dr. *Stillingfleet*.

Edw. III. ſons out of each of the Towns following, *viz.*

Paris.	*Troyes.*
St. Omers.	*Chartres.*
Arras.	*Toulouſe.*
Amiens.	*Lyons.*
Beauvais.	*Orleans.*
Liſle.	*Champagne.*
Doway.	*Roan.*
Tournay.	*Caen.*
Rheims.	*Tours.*
Chaalons.	*Burges.*

XIX. That the King of *France* ſhall ſtay four Months at *Calais*, but pay nothing the firſt Month for his Keeping.

XX. That he ſhall reſtore the County of *Montfort* to *John* Earl of *Montfort*, upon his performing Liege-homage to him for the ſame.

XXI. As to the Diſpute ariſen about the Succeſſion to the Duchy of *Bretagne*, the two Kings ſhall appoint Commiſſioners to accommodate the Parties, without going to war with one another upon that Account, in caſe an Accommodation ſhould not take place.

XXII, XXIII, XXIV, XXV, XXVI. These Articles relate to private Perſons, or Facts of little Importance.

XXVII. That the King of *France*, within a Year after his Departure from *Calais*, ſhall put the King of *England* in poſſeſſion of the Lands yielded to him by the preſent Treaty.

XXVIII. That as ſoon as the King of *France* has deliver'd up the Lands above-mention'd with the neceſſary Renunciations, *viz. Ponthieu*, *Montfort*, *Saintoigne*, and the Territory of *Angouleſme*, the King of *England* ſhall put

put him in poſſeſſion of all that is poſſeſs'd by himſelf, or his Allies, in *Touraine*, *Anjou*, *Berry*, *Auvergne*, *Burgundy*, *Champagne*, *Normandy*, *Picardy*, and in all other parts of *France*, *Bretagne* excepted. *A.* 1360.

XXIX. THAT if any of the Subjects of the Kings of *France* and *England*, on either part, refuſe Obedience, they ſhall compel them reſpectively at their own Expence.

XXX. THAT the Clergy ſhall be ſubject to that King of the two, under whom they hold their Temporalities: And if they have Temporalities under both Kings, they ſhall be ſubject to both.

XXXI. THAT there ſhall be a good Alliance and Friendſhip between the two Kings, notwithſtanding any other Alliances they may have, and particularly thoſe with *Scotland* and *Flanders*.

XXXII. THAT the King of *France* ſhall give no Aſſiſtance to the *Scots* againſt the King of *England*, nor the King of *England* to the *Flemings* againſt the King of *France*.

XXXIII. THAT the Collations to Benefices made on either part during the late War, ſhall ſtand good.

XXXIV. THAT the two Kings ſhall cauſe the ſaid Treaty to be confirm'd by the Pope in the ſtrongeſt manner.

XXXV. THAT the Subjects of both Kingdoms ſhall enjoy the Privileges of the Univerſities of the two Kingdoms.

XXXVI. THAT the preſent Treaty ſhall be confirm'd by the Letters Patent of the two Kings, by their reciprocal Oaths, and alſo by the Oaths of the Princes of each Royal Family, and by the moſt conſiderable Noblemen of each Nation. That they ſhall reduce the Refractory

Edw. III. fractory to Obedience.——That the two Kings ſhall ſubmit to the Cenſures of the *Roman* Church for the Execution of the ſaid Treaty.—That they ſhall renounce all Hoſtilities, and all Acts of Violence in caſe of its non-performance. And that if thro' the Diſobedience of any Perſons diſaffected, any of the Articles of the preſent Treaty cannot be executed, the two Kings ſhall not therefore go to War with one another, but ſhall endeavour to reduce the Rebels to their Duty.

XXXVII. THAT by the preſent Treaty all others preceding are made null and void.

XXXVIII. THAT the preſent Treaty ſhall be ſworn to at *Calais* by the two Kings perſonally; and that within one Month after the King ſhall depart from *Calais*, they ſhall reciprocally ſend their Letters Patent confirming the ſaid Treaty.

XXXIX. THAT neither of the two Kings ſhall procure any Oppoſition or Obſtacle to the Execution of the Treaty from the Court of *Rome*; and that if the Pope goes about it, the two Kings ſhall do their utmoſt to hinder him.

XL. THAT the two Kings ſhall agree together at *Calais* about the Hoſtages who are to be deliver'd to the King of *England*.

THUS we have given the Subſtance of the famous Treaty of *Bretigny*, which is the principal Act of this ſixth Volume of the *Fœdera*. We proceed now to the other Acts, which are for moſt part depending upon the ſaid Treaty.

Edward's *Return to* England.

1. A MEMORANDUM of *Edward*'s Return to *England*, *viz.* *May* the 18th 1360.

K. John *conducted to* Calais. *P.* 198.

2. AN Order to conduct King *John* to *Calais*; dated *June* the 17th 1360, at *Weſtminſter*. But he did not arrive there till the 8th of *July* following, as appears by his Letter he wrote to the

the Inhabitants of *Rochel*, dated at *Calais* the 18th *ditto*. *A.* 1360.

3. PRIVILEGES granted by *Edward* to *Rochel*; dated *October* the 22d 1360, at *Calais*. P. 217.

ALL the time betwixt *John*'s Arrival at *Calais*, and the 24th of *October*, was ſpent in preparing all the neceſſary Acts for confirming the Treaty of *Bretigny*. King *John* not only ratify'd the Treaty in general, but likewiſe made particular Acts for the Ratification of each Article of the Treaty, as well in his own Name, as in that of the Dauphin who was gone to *Boulogne*. All theſe Acts, which were Confirmations, Ratifications, Renunciations, Mandates, *&c.* being ready, *Edward* repair'd to *Calais*, where the two Kings ſign'd thoſe particular Acts, and ſolemnly ſwore to the Obſervation of the Treaty, on the 24th of *October* 1360. *Treaty of* Bretigny *ratified.* P. 219, &c.

TO all theſe Acts was added one, being an Obligation enter'd into by King *John* and the Dauphin, that on the failure of reſtoring one or two Caſtles on the part of *Edward*, they would nevertheleſs execute the Treaty. *Particular Obligation of K.* John *and the Dauphin.* P. 276.

EDWARD was willing to comply with the King of *France*'s Requeſt, that his Son *Philip*, who was taken at the Battel of *Poictiers*, might be one of the ten Hoſtages that he was to carry along with him from *Calais*. Edward *releaſes K.* John's *Son.* P. 285.

HERE is a particular Obligation which *Edward* enter'd into, with reſpect to his Treatment of the Hoſtages. *His Obligation as to Hoſtages.* P. 283.

AND the Renunciation of all Acts of Violence on the part of both Kings, their Sons, and the greateſt Noblemen of both Kingdoms, in caſe of non-performance of the Treaty. *All Hoſtilities renounc'd.* P. 269, &c.

ALL theſe Acts, which are moſt of them dated the 24th of *October* 1360, are to be found from

*Edw.*III. from *P.* 217, to *P.* 294. together with the Dauphin's Confirmations; dated from *Boulogne*. The others that follow are,

K. John's Obligation as to Burgundy. *P.* 351.

1. KING *John's* Obligation, whereby he engages to pay the King of *England* what remain'd due to him for *Burgundy*, which was reunited to the Crown by the Death of the Duke of that Name; 'tis dated *February* the 21ſt 1362, at *Paris*.

Treaty about the Princes of the Flower de Lis. *P.* 396. *P.* 405.

2. A TREATY for the Liberty of the Princes of the Flower *de Lis*, who were Hoſtages, concluded at *London* in *November* 1362.

3. KING *John's* Ratification with ſome Alteration; dated at *Avignon*, *January* the 26th 1363.

4. HIS pure and ſimple Ratification without Alteration; dated as above, the 13th of *March* following.

Letter to the Prince of Wales. *P.* 430.

5. *EDWARD's* Letter to the Prince of *Wales*, dated *December* the 6th 1363, at *Windſor-Caſtle*, wherein he acquaints him that the ſaid Treaty was broke: This was by reaſon of the Duke of *Anjou's* Eſcape.

Paſſport for John. Ib.

6. A PASSPORT for King *John*, who was coming over to *England*; dated *December* the 10th 1363, at *Weſtminſter*.

Summons of the Hoſtages. P. 452, &c.

7. A SUMMONS to *Charles* King of *France* to give up the Duke of *Anjou*, his Brother, and the other Hoſtages who had made their Eſcape; dated *November* the 20th 1364, at *Weſtminſter*.

8. A SUMMONS to the ſaid Hoſtages, and a Letter from *Edward* upon that Subject to the King and Peers of *France*; both of the ſame Date with the former.

Notice of their Eſcape. P. 455.

9. INFORMATION given to the Mayor of *St. Omers* of the Eſcape of the Hoſtages, purſuant

ſuant to the 17th Article of the Treaty of *Bretigny*; dated as above. *A.* 1364.

WE don't find any Anſwer in the *Fœdera* either to the Summons or Letter.

10. THE Duke of *Orleans*'s Grant of the Lordſhips of *Chiſec*, *Melle*, *Chivray*, *Villeneuve*, and of all that he poſſeſs'd in *Saintoigne* and *Poictou*, to *Thomas* of *Woodſtock*, one of the Sons of King *Edward*; dated at *London*, *December* the 27th 1364. *Grant to* Thomas *of* Woodſtock. *P.* 458.

11. THE full Liberty granted to the Duke of *Orleans*, in conſideration of the Grant which he had made of his own Accord to Prince *Thomas*; dated *May* the 30th 1365, at *Windſor-Caſtle*. Orleans's *Diſcharge*. *P.* 467.

12. THE Obligation of the Earl of *Harcourt*, to whom *Edward* had given leave to go to *France* on condition of returning again, by ſuch a time to *England*; dated *July* the 28th 1365, at *Windſor-Caſtle*. Harcourt's *Obligation to return to* Engl. *P.* 473, &c.

13. SEVERAL Acquittances for the Payment of King *John*'s Ranſom; dated at *Weſtminſter*, *January* the 26th 1366. It muſt be obſerv'd that part of the firſt Million was yet unpaid upon the 10th of *December* 1365, tho according to the Terms of the Treaty, the three Millions ought to have all been paid before then, except 400000 Crowns. *Acquittances for* K. John's *Ranſom*. *P.* 490, 491.

14. CONVENTIONS for referring the Affair of *Belville* to Arbitration; dated *January* the 20th 1366, at *Paris*. *Affair of* Belville *referr'd*. *P.* 484.

15. AN Obligation by the Duke of *Bourbon* and the Earl of *Alenſon*, to remain Hoſtages till the Diſpute relating to *Belville* is determin'd; dated at *Weſtminſter*, *January* the 22d 1366. *Security upon it*. *P.* 486, 488.

16. A PERMISSION to the Duke of *Bourbon* and the Dauphin of *Auvergne*, to go to *France*, *Duke of* Bourbon, *&c. to go to* France. *P.* 489.

Edw. III. *France*, upon the Security given by the Duke of *Berry* for their Return; dated at *London* as above.

To the E. of St. Pol. P. 494.

17. A FURLOUGH granted to the Earl of *St. Pol*, upon having two of his Sons as Hoſtages; dated *February* the 21ſt 1366, at *Weſtminſter*.

Crown Lands in Guyenne. P. 499.

18. THE Revocation of the Grant of certain Lands in *Guyenne*, annex'd to the Crown of *England*; dated *May* the 8th 1366, at *Weſtminſter*.

Convention betwixt the Kings of Caſtile, &c. P. 514.

19. CONVENTIONS between *Peter* King of *Caſtile*, *Charles* King of *Navarre*, and *Edward* Prince of *Wales*, whereby *Charles* obliges himſelf to give this Prince Paſſage into his Dominions; dated *September* the 23d 1366, at *Libourne*.

Caſtile's Grant to the Prince of Wales. P. 521.

20. *PETER*'s Grant to the Prince of *Wales* of certain Lands in *Caſtile*; dated as above.

Privileges to the Engliſh. P. 531.

21. A PRIVILEGE granted to the *Engliſh*, that they ſhall always have the Vanguard, when they are in the Armies of *Caſtile*; dated alſo as above.

Prince of Wales's Letter. P. 554. Anſwer. P. 556.

22. A LETTER in *Spaniſh* from the Prince of *Wales* to the Count *de Traſtemare*, two Days before the Battel of *Najara*; dated at *Navaretta* in *Caſtile*, *April* the 1ſt 1367.

23. *HENRY*'s Anſwer, dated next Day from his Palace near *Najara*.

Battel of Najara. P. 557.

24. A MEMORANDUM of the Day of the Battle of *Najara*, viz. *April* the 3d 1367.

K. of Caſtile to bear the Expence of the War. P. 559.

25. AN Obligation, whereby *Peter* King of *Caſtile* engages himſelf to bear all the Expence of the War; dated *May* the 2d 1367, at *Burgos*.

More time granted for Belville, &c. P. 562.

26. A PROLONGATION of the Term for adjuſting the Affair of *Belville*, and of the Furloughs of the Duke of *Berry*, and the Count of *Alenſon*;

Alenſon; dated *May* the 15th 1367, at *Weſtminſter*. *A.* 1367.

27. *EDWARD*'s Proclamation againſt his Subjects who ravage *France*; dated *November* the 16th 1367, at *Weſtminſter*. Edward's *Proclamation.* *P.* 577.

28. AN Acquittance for 100000 Crowns, part of the ſecond Million payable for the King's Ranſom; dated *May* the 13th 1367, at *Weſtminſter*. *Acquittances for the King's Ranſom.* *P.* 562.

29. ANOTHER Acquittance for 92000 Crowns, part of the ſecond Million; dated *November* the 18th 1367, at *Weſtminſter*. *P.* 579.

THIS was the laſt Payment made towards the Ranſom; ſo that inſtead of three Millions, *Edward* receiv'd but one Million 192000 Crowns.

30. A SUMMONS to the Earl of *Harcourt* to return to *England*, the Term of his Furlough being a long time expir'd; dated *December* the 1ſt 1367, and *January* the 5th 1368, at *Weſtminſter*. *Summons to the E. of* Harcourt. *P.* 580, 582.

31. A LEAGUE offenſive and defenſive between the King of *France* and *Henry* King of *Caſtile*, whereby the latter engages to aſſiſt the King of *France* againſt the King of *England*; ſign'd *November* the 20th 1368, at the Siege of *Toledo*. *League betwixt* France *and* Caſt. *P.* 598.

THO *Charles* made Preparations for War, he endeavour'd to make *Edward* believe that he had a Deſign to maintain the Peace. But it appears that *Edward* was jealous of him, becauſe he ſent him back a Preſent, which he had made him of 50 Pipes of Wine, as we find by an Act dated *April* the 26th 1369, at *Weſtminſter*. Edw. *jealous of the* Fr. *King.* *P.* 617.

32. A PROCLAMATION by *Edward* of the ſame Date, to protect the *French* Hoſtages from being inſulted by the *Engliſh*. French *Hoſtages.* Ib.

33. *ED-*

Edw. III.

33. *EDWARD* by the Advice of his Parliament resumes the Title of King of *France*, as appears by a Memorandum of *June* the 3d 1369.

Edw. resumes his Title to France. *P.* 621. *P.* 626.

34. His Grant of the Lands in *France* to such as conquer them; dated *June* the 19th 1369, at *Westminster*.

Letter to the Lords of Guyen. *P.* 643.

35. *EDWARD*'s Letter to the Lords of *Guyenne* upon the Rupture with *France*; dated *December* the 30th 1369, at the Tower of *London*.

Treaty with the D. of Bretagne. *P.* 699.

36. Treaty of Alliance betwixt *Edward* and the Duke of *Bretagne*; sign'd at *Westminster*, *November* the 4th 1371.

Alliance between France *and* Scotl. *P.* 696.

37. The Alliance betwixt *Charles* V. King of *France*, and *Robert Steuart* King of *Scotland*; sign'd *October* the 28th 1371, at the Castle of *Edinburgh*.

P. 747.

38. A Passport for the Ambassadors of *France*, nominated to treat of a Peace; dated at *London*, *February* the 20th 1372.

39. A Memorandum of the Day of *Edward*'s embarking for *France* to go to the Relief of *Thouars*, viz. *August* the 30th 1372.

Full Power to the Ambassadors. *P.* 760.

40. A Full Power to the Ambassadors of *England* to treat of a Peace with *France*; dated *January* the 8th 1373, at *Westminster*.

II. *Some Reflections upon the Treaty of* Bretigny, *and the Violation of it by* France, *for the fuller understanding of the Acts contain'd in this Sixth Volume of the* Fœdera.

Remarks on the Treaty of Bretigny, *and the Breach of it.*

Every body that is not well vers'd in the History of *England* would be apt to think, after having run over this Treaty, that *Edward* improv'd his Advantages beyond all Reason, and without any Mercy; for to consider the Treaty

Treaty alone, it appears that he was not content with raviſhing a great number of Provinces from *France*, but that he likewiſe depriv'd her of the Sovereignty of thoſe ſame Countries, without giving her any other Equivalent than a few rambling places, which he had lately conquer'd in ſeveral Provinces. Yet 'tis certain that this Treaty, far from being unreaſonable, was on the contrary exceeding moderate, whether we conſider the State in which the Fortune of War had plac'd *Edward*, or whether we have regard only to his Rights, and to Juſtice it ſelf. *A.* 1360.

WE have already ſeen what Pretenſions *Edward* had to the Crown of *France*; Pretenſions, which far from being ſo frivolous as the *French* Authors would have it thought, had a very good Foundation, if they are conſider'd on the Foot of Equity independent on State Policy, and on his Advantages in *France*. Be this as it will, at the time that *Edward* demanded the Conditions ſtipulated by the Treaty, he ſaw himſelf juſt in reach of the Mark which he had all along in view from the very beginning of the War, I mean the Crown of *France*, which he intended to wreſt from that Prince, whom he look'd upon as an Uſurper of his Eſtate; for he had King *John* Priſoner in *England*. The *Scots*, whoſe King was alſo in his hands, were in no manner of Condition to give him the leaſt Uneaſineſs. *France* was in ſuch Confuſion by the Diſcords which prevail'd in the Kingdom, and by the Cabals of the King of *Navarre*, a ſworn Enemy to the Royal Family, that it was not poſſible for the Dauphin to raiſe an Army fit to defend the Kingdom. Moreover, *Edward* was got into the very Heart of *France* with an Army of 100000 Men, which nothing could ſtand before.

Edward's Circumſtances at the Concluſion of the Treaty.

Edw. III. before. He had alſo made himſelf Maſter of a great number of Places in *Normandy*, *Touraine*, *Anjou*, *Maine*, *Poictou*, *Auvergne*, *Berry*, *Burgundy*, *Champaigne*, *Picardy*, &c. and had carry'd his Conqueſts into the Iſle of *France* as far as the Gates of *Paris*. What was it then that con'd incline him to put up with ſo ſmall a part of the Kingdom of *France*, at a time too when he had ſo much reaſon to expect the whole? Certainly it can be aſcrib'd to nothing but his Moderation, and to the Vow which he had enter'd into to make Peace upon equitable Terms. This Moderation of his was the more remarkable, becauſe we ſeldom ſee Conquerors ſtop ſhort on a ſudden, and confine themſelves without Force, or ſome apparent Cauſe, to a ſmall part of their Pretenſions, when they are juſt on the point of ſeeing the Accompliſhment of their Deſigns. Thus much for the Condition that *Edward* was in at the time of the Concluſion of this famous Treaty. We proceed now to his Rights.

Edward's *Rights.*

WHEN *Henry* II. one of his Predeceſſors, came to the Crown of *England*, he was in quiet poſſeſſion, by Hereditary Right, of *Normandy*, *Anjou*, *Touraine* and *Maine*; and by his Marriage with *Eleanor* of *Aquitain*, he was in poſſeſſion of *Guyenne* and *Poictou*, and all their Dependencies. This is a Fact which cannot be diſputed. *France*, contenting it ſelf with the Reſervation of the direct Sovereignty of thoſe Provinces, never troubled her ſelf to diſpute the Poſſeſſion of them, either by that Prince, or by his Son *Richard* who ſucceeded him. *John Lackland*, *Richard*'s Brother and Succeſſor, took poſſeſſion of the ſame Provinces, without the leaſt Obſtruction from *Philip Auguſtus*, who then reign'd in *France*, and was ſenſible that he had

no other Right to it but that of Sovereignty. But afterwards *John* being accus'd of having put his Nephew *Arthur* Duke of *Bretagne* to death, upon this bare Accuſation, *Philip*, without cauſing the Witneſſes to be heard, and without the neceſſary Forms of proceeding in an Affair of ſuch Importance, caus'd *John* to be condemn'd, and all the Lands which he held in *France* to be confiſcated. It was in purſuance of this Arret paſs'd by default of Appearance, that *Philip Auguſtus* put himſelf in poſſeſſion of *Normandy*, *Maine*, and part of *Anjou*, while it was impoſſible for King *John* to recover what was ſo taken from him. *A.* 1360.

HENRY III. *John*'s Son and Succeſſor, a Prince of a very mean Genius, and not qualify'd for War, made an Effort to recover thoſe Provinces; but by ſo doing he only drew *St. Lewis*'s Arms upon thoſe Parts which yet remain'd in his Poſſeſſion, ſo that he robb'd him of the reſt of *Anjou*, *Poictou*, and part of *Guyenne*.

We obſerv'd in our Account of the ſecond Volume of the *Fœdera*, how *Edward* I. loſt *Guyenne* by the Treachery of *Philip the Fair*. 'Tis true, that this Province was at laſt reſtor'd to him, but not without leaving a part of it in the Hands of the King of *France*.

EDWARD II. loſt the *Agenois* by means of the Affair of *Sardos*, of which mention was made in that Reign. *France* not only took this part of *Guyenne* from him, but alſo made him pay the Charges of that prepoſterous War. And afterwards, when ſhe granted him leave to transfer *Guyenne* to his Son *Edward*, ſhe did not conſent to the Bargain till ſhe had exacted a Sum of 60000 Livres from him; ſo ready was *France* to

Edw. III. take all Advantages againſt *England* that Opportunity preſented.

We may ſee by this ſhort Diſſertation, in which there's nothing aggravated, with what Injuſtice thoſe Provinces, which lawfully belong'd to the Kings of *England*, were ſeiz'd by *France*, which had no other Right to them than what Power had given them. The Countries we have been ſpeaking of did not come to the Crown of *England* by Conqueſt, or by Treaties made at the Point of the Sword, but by a lawful Succeſſion from Father to Son time out of mind. As to the Earldom of *Ponthieu*, it devolv'd to *Edward* by the Right of his Mother *Eleanor*; and the King of *France* himſelf gave him the firſt Inveſtiture of it, tho there was ſome Injuſtice too in the caſe, becauſe he demanded of *Edward* that he ſhould in the firſt place relinquiſh all his Claim to *Normandy*.

Now let the Treaty of *Bretigny* be examin'd upon that Footing, and it will appear that *Edward* III. by this Treaty only reclaim'd thoſe Provinces which *France* had unjuſtly torn from his Anceſtors, by mere Force of Arms. For all thoſe Countries which *France* yielded to the King of *England*, if we except *Guiſnes* and *Calais*, were Dependencies on *Guyennne* and *Poictou*, and had been quietly poſſeſs'd by *Edward's* Anceſtors. 'Tis true, that this Prince demanded *Calais*, and the Earldom of *Guiſnes*, with the Sovereignty of all the Provinces which *France* deliver'd up to him, into the Bargain; but in requital thereof he left him *Normandy*, *Anjou*, *Touraine*, and *Maine*, with the Homage of *Bretagne*, to which he had as good a Right as to the former, and which, as well as all the reſt, was part of the Inheritance of his Anceſtors. He likewiſe yielded him

ACTA REGIA.

Number V.

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ACTA REGIA:

OR,

An ACCOUNT of the TREATIES, LETTERS and INSTRUMENTS

Between the Monarchs of *England* and Foreign Powers, publiſh'd in Mr. *Rymer*'s *FOEDERA*, which are the Baſis of the *Engliſh* Hiſtory, and contain thoſe Authorities which rectify the Miſtakes that moſt of our Writers have committed for want of ſuch a Collection of Records.

Tranſlated from the *French* of M. RAPIN, as publiſh'd by M. LE CLERC.

With the Heads of the Kings and Queens, curiouſly engrav'd by Mr. *Vandergucht*.

Publiſh'd Monthly.

Number V. for *January*.
Continuing the Reign of *Edward* III.

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Number V. for *January*.

BRINGS King *John* of *France* Priſoner to *England*, and gives an Account of his Reception by the City of *London*, and the Court at *Weſtminſter*. Of five Kings and many of the Nobility entertain'd all at once by a Wine-Merchant of *London*. Of the Lords of the Flower *de Lis*, and others of the *French* King's noble Hoſtages, together with his Ranſom, Releaſe, Return to *England*, and Death. Of the Ranſom of *David* King of *Scotland*, and *Charles* Earl of *Blois*. Of the Battles of *Rien*, *Avray* and *Najara*. Of the *Engliſh* Army's being check'd by a terrible Thunder-Storm in *France*, and of the famous Treaty of *Bretigny* made thereupon, with Remarks on it. The Archbiſhop of *York*'s Bravery at the Victory near *Durham*. Diſpute betwixt the Archbiſhops of *Armagh* and *Dublin* about carrying the Croſs. The *Normans* Deſign upon *England*. *Robert Steuart*'s Progreſs in *Scotland*. King *Edward*'s Ravages there, and *Baliol*'s Reſignation of that Crown to him for a Penſion. The erecting of Wool-Staples in *Flanders*. *Edward*'s Refuſal of the Imperial Crown. His Orders on account of the great Plague. His Letters to the Pope about his Bulls, and Orders to apprehend all that brought them into *England*, with his Seizure of all Benefices held by Foreigners. His Reaſons for renewing the War, and reſuming the Title of King of *France*, with his ill Succeſs there and return home.

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him all the Conqueſts which he had made in ſeveral Provinces of *France*; and what was more than all, he drop'd his Pretenſions to the Crown. *A.* 1360.

As to King *John*'s Ranſom, I know not whether it can be properly call'd an exceſſive Sum for ſo great a Prince whom the Fortune of War had caſt into the Hands of his Enemy: ſuch Examples are ſo rare to be met with, that 'tis a difficult matter to aſcertain the Ranſom of a Captive King, in proportion to the extent of his Dominions, by the Rules of Juſtice and Equity.

As to the Hoſtages that *Edward* demanded for his Security, can any one think it ſtrange that he took ſuch Precautions at that Juncture, to oblige the *French* to the Execution of a Treaty which was ſo much to their Diſadvantage? It was plain that thoſe Securities were no more than neceſſary, becauſe they were not ſtrong enough to guard againſt the Treachery of *Charles* V. nor againſt the Baſeneſs of ſome of the moſt conſiderable Hoſtages, who made no ſcruple to violate the publick Faith, and even to ſerve againſt that very Prince to whom they had engag'd themſelves both by Parole of Honour, and by ſolemn Oaths.

THESE are the Reflections which I thought neceſſary, in order to give the Reader a juſt Idea of the Treaty of *Bretigny*; in which one cannot but perceive a Moderation which is not common to Princes fluſh'd with Victory. We proceed now to take notice of the Breach of this Treaty, and at whoſe Door it lay. But that we may not be too precipitant in paſſing judgment upon this matter, 'tis neceſſary to know firſt of all what was the State of Affairs

Inquiry into the Breach of the Treaty of Bretigny.

Edw. III. between *France* and *England* at the time of the ſaid Rupture.

KING *John*, whoſe ſtrict Adherence to his Engagements can be never enough commended, had put *Edward* in poſſeſſion of all the Countries which he had engag'd to deliver up to him, except the County of *Gavre*, ſituate in *Armagnac*, and the Territory of *Belville* in *Poictou*, about which there aroſe ſome Diſpute. As to the firſt, I know nothing of it; but as to *Belville*, I find in one of the Acts of this Volume of the *Fœdera*, that *Edward* claim'd that ſome other Lands which depended on the ſaid Fief, ſhould be deliver'd to him, which King *John* did not agree to. As to the Hoſtages, they had all been deliver'd up except two Burghers of *Tholouſe*, Perſons not conſiderable enough to be the ſubject of any great Contention. Tho *John* nicely kept his Word in thoſe Articles of the Treaty which related to the Provinces yielded to *England*, he found it impoſſible for him to be as punctual in the Payments of his Ranſom. After the Payment of the firſt 600000 Crowns before his departure from *Calais*, the reſt came in but very ſlowly; for of the three Millions which, according to Agreement, ought to have been paid at the end of the Year 1366, there was but a Million and about two hundred thouſand Crowns paid in 1369, when the War was declar'd. 'Tis very probable that *Edward* was ſo generous as to admit of the Excuſes made to him from time to time, on default of Payment, the rather becauſe he had always Hoſtages in his hands who were anſwerable to him for what was due.

AMONG theſe Hoſtages, were five Princes of the Blood of *France*, *viz.* the Dukes of *Orleans*, *Anjou*, *Berry* and *Bourbon*, and the Count of

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of *Alenſon*. There being nothing wanting to- *A.* 1360.
wards the entire Execution of the Treaty, but the two Lordſhips of *Gavre* and *Belville*, and the Payment of the reſt of the three Millions, *Edward* probably was ſcrupulous of keeping ſo many Princes as Hoſtages for ſuch a Trifle. Therefore, of his own accord, he propos'd the abſolute Releaſe of the four firſt, and of the Lords of *Brenne*, *Grandpre*, *Montmorency*, *Clare*, *Hengeeſt* and *Andreſel*, the laſt of whom was of the number of the Priſoners, with a Proviſo that the County of *Gavre* and the Territory of *Belville* ſhou'd be deliver'd up to him, in the Condition that he demanded them; that *Meſle*, *Chiſay*, *Chivray*, *Villeneufve*, and ſome other Territories in *Poictou* and *Saintonge*, ſhould be pledg'd to him for Security of the Execution; and that if before the Feaſt of *All-Saints*, he was not put in poſſeſſion of *Gavre* and *Belville*, the Lordſhips ſo pledg'd to him ſhould be confiſcated to his Profit; and the four Princes and the other ſix Lords, be oblig'd to ſurrender themſelves again as Hoſtages. The *French* Princes having accepted theſe Terms, King *John* confirm'd the Treaty on condition that for the Lords of *Grandpre*, *Clare* and *Andreſel*, *Edward* would releaſe the Earl of *Alenſon*, the Dauphin of *Auvergne*, and the Lord of *Coucy*; but *Edward* refuſing to conſent to this Exchange, *John* ratified the Agreement as it ſtood at firſt.

WHEN the Ratification of the King of *France* was arriv'd, theſe ten Lords were conducted to *Calais*, and left at full liberty not only to walk about the Town, but alſo to go where they pleas'd for three Days, provided they return'd to lie at *Calais* the fourth Night. Probably there aroſe ſome Difficulty with reſpect

Edw. III. to the Territories that were to be given in pledge, and that this was what detain'd the *French* Lords at *Calais* longer than they expected. However it was, the Duke of *Anjou*, who no doubt was afraid of being oblig'd to return again to *England*, abus'd the Liberty which had been granted him of going out of *Calais*, and never return'd more: And the Counts *de Brenne* and *Grandpre*, and the Lords of *Clare* and *Derval* following his ill Example, eſcap'd as well as he; after which there was no more talk of the Execution of the Treaty for the Liberty of the others. Soon after King *John* returning to *England*, either to excuſe the Duke of *Anjou*, or for ſome other Reaſon, dy'd there in the Month of *April* 1364.*

* Mr. *Barnes* ſays he arriv'd at *Dover* the 4th of *January* 1364, and dy'd the 8th of *April* following at the *Savoy*, then one of the faireſt Manſions in *England*, where he was lodg'd with thoſe Hoſtages that were of the Royal Blood, and often made and receiv'd Viſits to and from the Kings of *England*, *Scotland*, *Denmark* and *Cyprus*. *Stow* tells us in his Survey of *London*, that theſe five Kings were all feaſted at one time, together with the chief Hoſtages of *France*, K. *Edward*'s Sons, and many of the chief Nobility of *England*, by Sir *Henry Picard* Wine-Merchant, who ſome Years before had been Lord Mayor of *London*. Mr. *Barnes* quotes *Knighton* and *Walſingham* to prove, that King *John* on his Death-bed ſent for King *Edward*, and confeſs'd to him, that from his firſt coming into *England* he had Confederates in *London*, &c. who ſecretly collected the fineſt Gold of the Kingdom, made it into Plates, and put it into Barrels hoop'd with Iron to ſend to *France*, with Bows and Arrows, and a great quantity of other Arms; and that he had unjuſtly withheld the Crown of *France* from him, until the Peace of *Bretigny*; for all which he heartily begg'd the King's Pardon, and for which *Edward* entirely forgave him, and caus'd all the Gold and Arms to be ſeiz'd, and ſeverely puniſh'd thoſe *Engliſhmen* who had offended, among whom were many *Lombard* Merchants, who were clapp'd up in the Tower till they had compounded as the King pleas'd.

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HIS Son *Charles* V. aſcending the Throne of *France*, the Face of Affairs was changed; and if *Edward* had not blindly believ'd that this Prince was as honeſt as his Father, he might have eaſily perceiv'd that he had ſome ill Deſign. *Charles* gave him no Satisfaction as to the Eſcape of the Hoſtages, tho he earneſtly demanded it, nor as to the two Burghers of *Tholouſe*, nor the two other Hoſtages which he requir'd in the place of the Lords of *Eſtampes* and *Hengeeſt*, who had dy'd in *England*. He never troubled himſelf to pay the reſt of King *John*'s Ranſom; and if he remitted him any Part, it was but a ſmall matter, and only to amuſe him. Four Years run on after this manner in fruitleſs Negotiations upon the Affair of *Belville*, which was never decided, tho referr'd to Arbitration; becauſe, in all appearance, *Charles* did not care whether it was or no. *A.* 1360.

ONE cannot help ſuſpecting, that the Hoſtages who were in *England*, were appriz'd of the Deſign of the King of *France* to break the Peace, when one finds by the Collection in this Volume that it was chiefly about that time they made the greateſt ſtruggle to obtain Furloughs, on various Pretences, or to compound with *Edward* for their entire Liberty.

THE Duke of *Orleans* obtain'd Liberty for himſelf and the Lord of *Andreſel*, by granting ſome Lands in *Poictou* to *Thomas* of *Woodſtook*, *Edward*'s Son.

THE Duke of *Bourbon*, and the Dauphin of *Auvergne*, had leave to go to *France*, upon the Security of the Duke of *Berry*; and their Furlough being prolong'd, the Duke of *Bourbon* made an Agreement with *Edward* for 12000 Crowns, which *Edward* paid to him who took the Duke Priſoner at the Battle of *Poictiers*.

THE

Edw. III. THE Duke of *Berry* having obtain'd a Furlough to go to *Paris*, never return'd.

THE Earl of *St. Pol* obtain'd the ſame Permiſſion, on leaving his two Sons as Security for his Return.

THE Earl of *Harcourt*, who had a limited Furlough, upon his Parole of Honour, excus'd himſelf from keeping to his Engagement, tho *Edward* recall'd him ſeveral times.

MONTMORENCY, *Boucherche*, and *Maulevrier* did the ſame; but 'tis probable they gave the King ſome Satisfaction afterwards.

CHARLES of *Artois* retired without taking leave.

ENGUERRAND de Coucy, by what means I know not, procured his entire Liberty.

GUY of *Blois*, who had obtained a limited Furlough, never return'd more to *England*, having made his Accommodation while he was abroad.

THE Dauphin of *Auvergne* obtained a Furlough, on condition of paying 10000 Crowns, in caſe he did not return by ſuch a time.

THE Earl of *Luxemburg*, the Lords of *Eſtampes* and *Hengeeſt*, died in *England*; and *Charles* never ſent any other Hoſtages to ſupply their Place. Add to theſe the ten Hoſtages that *John* carry'd with him from *Calais*, who probably were the chief; and we ſhall find that at the time of the Breach of the Peace, there were none left of any Conſequence in *Edward*'s Hands.

ALL this appears from divers Acts in this Volume: From whence it may eaſily be conjectur'd, that the King of *France* could not be much diſturb'd about thoſe Hoſtages that ſtill remain'd in *England*; conſequently he was no longer

ger concern'd for the Execution of the Treaty, after he had withdrawn his Brothers, and the chief of the Nobility. On the other hand, the Diſtemper of the Prince of *Wales* growing every day more dangerous, *Charles*, who ſaw that this Prince was not in a Capacity to do any thing, thought he ought to make his advantage of this Opportunity, while *Edward*, who was in a State of perfect Security, could not imagine that *France* was in a Condition to renew the War. *Charles* being reſolved upon it, made ſeveral Alliances with the Princes of *Germany*, and particularly with the King of *Caſtille*, before he diſcover'd his Deſign. He obtained great Sums of the Eſtates of the Realm, who, to be ſure, were not ignorant of his Intentions, tho thoſe Sums were granted upon other Pretences. When his Affairs were almoſt arrived to the Maturity he wiſh'd for, he complain'd bitterly of the Ravages committed by the *Engliſh* Troops in *France*. We have ſeen that *Edward* gave him all the Satisfaction poſſible in the like Caſe. But as *Charles* was bent upon picking a Quarrel with him, he ſhew'd that he was not ſatisfy'd, and pretended that *Edward* actually made War againſt him. In order to give the more Colour for the Rupture which he intended, he complain'd that the *Engliſh* had not evacuated all the Caſtles that were to be reſtored to him: But as no Hiſtorian has ſpecify'd what thoſe Caſtles were, there is Reaſon to believe that his Complaint was trifling. In the mean while happened the Clamour againſt the Tax the Prince of *Wales* had eſtabliſh'd in *Guienne*; which Clamour was probably fomented and ſupported by the King of *France*. Be this as it will, tho *Charles* had no Right to meddle in the Affairs of that Principality, the Sovereign-

A. 1360.

Edw. III. ty of which the King his Father and himſelf too had expreſly renounc'd, he took occaſion from thence to ſummon the Prince of *Wales* before the Court of Peers; and upon his Refuſal to appear, ordered all the Lands which the *Engliſh* held in *France* to be confiſcated.

HAVING thus examin'd the State of Affairs betwixt the two Crowns, nothing now remains but to judge whether *France* had good Reaſon to break the Peace. *Edward* had Subjects of Complaint, which were very real and ſubſtantial. *Gavre* and *Belville* were yet in the hands of the King of *France*. Near two thirds of King *John*'s Ranſom were ſtill unpaid, and the chief Hoſtages were either eſcap'd, or were not return'd according to the Terms of their Furloughs, or had compounded for very ſmall Sums in proportion to the two Millions of Crowns of Gold which remain'd due to him. Mean time *Charles* pretended that the Treaty of *Bretigny* was void, becauſe ſome Caſtles, of which no Hiſtorian has given us the Names, were not reſtor'd; becauſe *Edward* had not hindered his Subjects from ravaging *France*, tho he had diſowned them; and finally, becauſe the Prince of *Wales* had refus'd to appear as a Vaſſal, tho it was certain that *France* had renounc'd the Sovereignty of *Guienne*.

FROISSARD ſays, that *Charles* having cauſed the Treaty of *Bretigny* to be examin'd in Council, they dwelt chiefly upon that Article whereby the two Kings renounc'd all Hoſtilities in caſe of non-performance of the Treaty. He adds, that 'twas upon this Conſideration that *Charles* was adviſed to found his Declaration of War, becauſe it was pretended that *Edward* had not ceaſed to make War againſt *France* ever ſince the Peace of *Bretigny*. It were to

to be wiſh'd that this Hiſtorian had been a little more explicit, and had ſhewn upon what Particular the Complaint was founded. If it was upon the Ravages committed by the Prince of *Wales*'s disbanded Troops, it ſeems that ſince *France* her ſelf could not get rid of them, it was yet more difficult for the Prince of *Wales*, or the King his Father, to reduce thoſe vagabond Troops to their Obedience, becauſe they were in a foreign Country. *A.* 1360.

MEZERAY, who was very ſenſible of the Iniquity of this Rupture on the part of *Charles*, paſſes very ſlightly over it, and ſpeaks of it in ſuch a manner as demonſtrates that Policy had a greater ſhare in it than Equity. This is what he ſays of it in his Extract of the Year 1369. '*Edward* believed himſelf abſolute Sovereign of '*Guienne* after the Peace of *Bretigny*; but as on 'his part he had not drawn off the Gariſons, 'and had moreover committed divers Hoſtilities, the King pretended the Treaty was null 'and void, and that therefore the ſaid Prince 'ſtill remain'd a Vaſſal of the Crown. It was 'upon that Foot that he ſent a Declaration of 'War to him; and that afterwards in an Aſſemſembly of his Parliament on the Eve of Aſcenſion, he then ſitting on his Bed of Juſtice, 'paſs'd an Arret, which for thoſe Rebellions, 'Outrages, and Diſobediences, confiſcated 'all the Lands the *Engliſh* held in *France*.' Let the Reader compare the Terms of *Rebellion* and *Diſobedience* with the Articles of the Treaty of *Bretigny*, wherein both King *John* and his Son *Charles* renounc'd all manner of Sovereignty to the Provinces which they yielded up to *Edward*, and then let him judge whether the Parliament had the leaſt Colour to make uſe of ſuch Expreſſions againſt a Prince, who ſince

Edw. III. the laſt Peace did not poſſeſs ſo much as a ſingle Village in the Kingdom of *France*, for which he was a Vaſſal to that Crown.

THIS Rupture, which was made ſo expreſly for the purpoſe, and which reſtor'd *France* to her former State, was one of the principal Reaſons for aſſigning the Surname of *Wiſe* to *Charles* V. But I would fain know what Name would have been given him if the War had miſcarry'd, as might have been the Caſe. Could he be ſure of the Conſequences? And may it not be ſaid, that if *France* had happened to have been plung'd again in the Abyſs from whence ſhe was but juſt extricated, ſhe would have had none to blame but her King? For the reſt, tho this Prince had very fortunate Succeſs, yet to him, as the firſt Cauſe, ought to be aſcribed all thoſe Miſeries that *France* ſuffer'd in the Reign of *Charles* VI. his Son and Succeſſor, during which the *Engliſh* took a ſweet Revenge.

III. *The Affairs of* Scotland.

UNDER this Article there are few remarkable Circumſtances. It was obſerv'd in our Account of the fifth Volume, that by the Treaty which was concluded for the Liberty of King *David*, he had engag'd to pay 90000 Marks Sterling for his Ranſom. This Treaty, which remain'd without Execution, was renew'd in the Year 1357. but with this Difference, that the King of *Scotland* ſhould be obliged to pay 10000 Marks more. This laſt Treaty is dated *Oct.* 3, 1357. at *Berwick upon Tweed.*

Ingagements for the K. of Scots *Ranſom. P.* 46, 56, 59, 61.

A GREAT many Acts follow it, by which the Prelates, the Temporal Lords, and all the good Towns of *Scotland*, engag'd to pay the Ranſom of their King.

HERE

ACTA REGIA.

Number VI.

5 0C59

ACTA REGIA:

OR,

An ACCOUNT of the

TREATIES, LETTERS and INSTRUMENTS

Between the Monarchs of *England* and Foreign Powers, publiſh'd in Mr. *Rymer's FOEDERA*, which are the Baſis of the *Engliſh* Hiſtory, and contain thoſe Authorities which rectify the Miſtakes that moſt of our Writers have committed for want of ſuch a Collection of Records.

Tranſlated from the *French* of M. RAPIN, as publiſh'd by M. LE CLERC.

With the Heads of the Kings and Queens, curiouſly engrav'd by Mr. *Vandergucht*.

Publiſh'd Monthly.

Number VI. for *February*.

Ending the Reign of *Edward* III. and beginning that of *Richard* II.

LONDON:

Printed for J. DARBY, A. BETTESWORTH, F. FAYRAM, J. PEMBERTON, C. RIVINGTON, J. HOOKE, F. CLAY, J. BATLEY, and E. SYMON. M.DCC.XXVI. *Price* 1s.

Number VI. for *February*, which compleats the First Volume,

GIVES an Account of the Death of *David* King of *Scotland*: Of the Acceſſion of the firſt King of the Race of the *Steuarts*: Of the Death and Character of King *Edward*'s Mother; And among other Inſtruments, treats of his Order for the Exerciſe of the Bow; Of his Protection for Clock-makers that came over from *Delft*; Of his Pardon of a Woman under Sentence for the Murder of her Husband, becauſe ſhe liv'd forty Days without eating or drinking; and of his Certificate of a Man that had paſs'd a Day and Night in St. *Patrick*'s *Purgatory*. It concludes with an Account of King *Edward*'s reputed Concubine, his Inſtitution of the moſt Noble Order of the Garter, his Regulation of the Coin, his Death and glorious Character, and the Acceſſion of his Grandſon K. *Richard* II. To which is added an Alphabetical Index of every material Event, and of every Inſtrument in Mr. *Rymer*'s *Fœdera* to which it relates.

5 0659

HERE is a remarkable Brief from Pope *Innocent* VI. to the King of *Scotland*, in which he declares that he cannot consent that the Clergy of *Scotland* should be bound for him; 'tis dated at *Villeneufve*, in the Dioceſe of *Avignon*, the 11th of the Calends of *July* 1358. The other principal Acts relating to *Scotland*, are, *A.* 1358. *Pope won't conſent for the* Scots *Clergy to be bound for* David. *P.* 59.

1. A PASSPORT for King *David* going into *England*; dated at *Weſtminſter*, *April* the 18th 1362. David's *Paſſport. P.* 363.

2. *EDWARD*'s full Powers to treat of a final Peace with *Scotland*; dated at *London*, *June* the 25th 1362. *Treaty with him. P.* 375.

IT appears by a Memorial dated at *Weſtminſter*, *November* the 27th 1363, that *Edward* try'd to perſuade the *Scots* to declare him King *David*'s Succeſſor, in caſe that Prince dy'd without Children; and that he made them large Promiſes to bring them into it: but this Project did not ſucceed. Edward's *View to the Crown of* Scotland. *P.* 426.

3. A PROLONGATION of the Truce for four Years; dated at *London*, *May* the 20th, and at *Edinburgh-Caſtle*, *June* the 12th 1365. *Truces with* Scotland. *P.* 464, 468.

4. ANOTHER Prolongation of the Truce for fourteen Years; dated at *Edinburgh Caſtle*, *July* the 20th 1369. *P.* 632.

DAVID dying in 1371 *, *Robert Steuart* his Succeſſor, who was his Nephew, being Son of his eldeſt Siſter, no ſooner got into the Throne but he made an Alliance with *France*, dated *October* the 28th 1371, at *Edinburgh-Caſtle*. David's *Death, and his Succeſſor's Treaty with* Fra. *P.* 696.

* THIS diſcovers a Miſtake of Mr. *Barnes* and other Hiſtorians, who place his Death in the Year 1370. *Robert*, his Succeſſor, was the firſt King of the Race of the *Steuarts*; of the Original of which Family Mr. *Barnes* gives the Genealogy, and explodes an old Error of the *Scots* Hiſtorians concerning *Robert*'s Children.

Edw. III. THIS is all that is of any great Conſequence in this ſixth Volume of the *Fœdera*, with reſpect to *Scotland*.

IV. *Domeſtic Affairs.*

THIS Article conſiſts only of ſome looſe Acts relating to *England* in particular, or to the Royal Family, of which theſe are the chief.

Death of Iſabel the Q. Mother. P. 140.

1. AN Order of King *Edward*, dated at *Sandwich*, *October* the 16th 1359, to pay the Charges of the Anniverſary Service for his Mother Queen *Iſabel*. It appears that this Princeſs dy'd in 1358, at the Caſtle of *Riſing*, where ſhe had been confin'd twenty Years before *.

* MR. *Barnes*, who ſays ſhe dy'd the 22d of *Auguſt*, was certainly miſtaken in the time of her Interment, which he ſays was on the 27th of *September* following, in the midſt of the Choir of the Gray Fryars, now call'd *Chriſt-Church*; whereas there is an Order in this Volume of the *Fœdera* P. 110. and dated at *Weſtminſter*, *November* the 20th, for cleaning the Streets without *Biſhopsgate* and *Aldgate*, againſt the Arrival of her Corps in *London*. As to her Impriſonment, tho tedious, Mr. *Barnes* tells us it was eaſy and reſpectful; that ſhe had Freedom enough under the Eye of her Keeper, and an Allowance of 4000 *l. per Ann.* that the King paid her a Viſit at leaſt once a Year, and gave her many Princely Recreations. As to her Guilt in the Murder of her Huſband, our Author is of opinion, that upon her firſt coming with an armed Force into *England*, ſhe had no Deſign againſt the King her Husband, but only againſt the *Spenſers*; but that *Mortimer* and others, who were already obnoxious to the Law on account of their Treaſon, artfully drove her on ſo far for their own Security, that ſhe was not able to retire; and that when the King was depos'd, they ſo terrify'd her with making her believe, that if ever he came to the Crown he would burn her, that ſhe comply'd with the Deſign for his Deſtruction.

2. AN

2. AN Act for erecting the Dutchy of *Guyenne* into a Principality, in favour of the Prince of *Wales*; dated *July* the 19th 1362, at *Weſtminſter*. *A.* 1362. Guyenne *a Principality.* *P.* 384.

3. AN Act of the ſame Date, by which the new Prince of *Aquitain* engages to pay an Ounce of Gold every Year, as an Acknowledgment to the Crown of *England*. *Acknowledgment for it.* *P.* 388.

4. AN Order againſt idle Sports and Paſtimes in uſe among the common People, and an Injunction to the Sheriffs to make them exerciſe the Bow; dated *June* the 1ſt 1363, at *Weſtminſter*. *Order for the exerciſe of the Bow.* *P.* 417.

5. A PASSPORT for *Waldemar* King of *Denmark* coming to *England*; dated *February* the 1ſt 1364, at *Weſtminſter*. *K. of* Denmark's *Paſſport.* *P.* 432.

6. ARTICLES of Marriage betwixt the Earl of *Cambridge*, *Edward*'s Son, and the Ducheſs Dowager of *Burgundy*, Daughter to *Lewis* Earl of *Flanders*; dated *October* the 19th 1364, at *Dover-Caſtle*. *Marriage of* Edw's *Sons with the Dſs. of* Burgundy. *P.* 445.

7. THE Marriage Articles betwixt *Lionel* Duke of *Clarence*, *Edward*'s ſecond Son, and *Violante* Daughter of *Galeaz* Duke of *Milan*; dated *May* the 15th 1367, at *Weſtminſter*. *And the Duke of* Milan's *Daughter.* *P.* 564.

8. AN Order for the Departure of the Duke of *Clarence* for *Milan*, with a Retinue of 457 Men and 1280 Horſes; dated at *Weſtminſter*, *May* the 10th 1368. This Prince dy'd in *Italy*, in the Year 1370 *. *D. of* Clarence *goes to* Milan. *P.* 590.

9. A PROTECTION for three Clock-makers, coming from *Delft* to exerciſe their Profeſſion in *England*; dated *May* the 4th 1368, at *Weſtminſter*. *Protection for Clock-makers.* Ibid.

* MR. *Barnes* ſays he dy'd not without Suſpicion of Poiſon, upon the 17th of *October*, the ſame Year that he was marry'd.

V. *Affairs relating to Religion or the Popes.*

THE old Differences ſtill ſubſiſted betwixt *England* and the Court of *Rome* about the Collation to Benefices, the foreign and non-reſident Clergy, the Benefices of Royal Collation which the Pope uſurp'd from time to time, the Temporality of the Biſhopricks which the Pope pretended to confer by his Bulls, and the Proviſions which he gave to Benefices before they were vacant, whereby he depriv'd Patrons of their Rights. Theſe were the Subjects of the greateſt part of the Acts in this Volume, relating to Religion; but as they are the ſame with thoſe mention'd in the former Months, 'tis needleſs to inſiſt long upon them here. I ſhall therefore only take notice of ſome Acts, which ſhew that neither the King nor the Pope receding from their Pretenſions, thoſe Differences remain'd undetermin'd, each Party taking hold of every fair Opportunity that offer'd to maintain their Rights.

Order againſt the Bulls. *P.* 65.

1. AN Order from the King to the Lord Mayor of *London* to impriſon all Perſons in the City carrying the Pope's Bulls; dated *October* the 10th 1357, at *Weſtminſter*.

Payment of the Procurations. *P.* 68.

2. AN Order to pay to thoſe Cardinals, who were ſent to treat of Peace, the Procurations which were due to them upon the Biſhoprick of *Ely*, which was then in the King's Hands; dated *November* the 7th 1357, at *Weſtminſter*.

WHEN the King wanted any Favour from the Court of *Rome*, he caus'd thoſe Procurations to be paid; but at other times he ſtopp'd Payment.

3. A

3. A BULL of *Innocent* VI. whereby he consents to the Execution of the Treaty of Peace concluded at *Bretigny*, tho it contains Articles prejudicial to the Holy See. The Bull is dated at *Villeneufve*, in the Dioceſs of *Avignon*, the 2d of the Calends of *July* 1360. This had a ſpecial View to the 39th Article of the ſaid Treaty. *A.* 1360. *Pope's Bull about the Treaty of* Bretigny. *P.* 201.

4. A PROHIBITION to carry Money out of the Realm, that is to ſay, to *Avignon*; and an Order to take up thoſe that carry'd Bulls about the Kingdom; dated *July* the 28th 1365, at *Weſtminſter*. *Prohibition to carry Money out of the Realm.* *P.* 475.

5. AN Atteſtation by the King, that a Woman committed to Priſon for the Murder of her Husband, ſubſiſted in the ſaid Priſon 40 Days without eating or drinking; and his Pardon granted to her in acknowledgment of the Miracle; dated at *Weſtminſter*, *April* the 25th 1357. *A Woman lives forty Days in Priſon without eating or drinking.* *P.* 13.

6. *EDWARD*'s Preſent to the Abbey-Church of *Weſtminſter* of the Head of St. *Benedict*, Abbot and Confeſſor; dated *July* the 5th 1358, at *Weſtminſter*. Edward's *Preſent of St.* Benedict's *Head.* *P.* 93.

7. *EDWARD*'s Atteſtation that a certain *Hungarian* Gentleman had paſs'd a whole Day and Night in St. *Patrick*'s *Purgatory* in *Ireland*; 'tis dated at *Weſtminſter*, *October* the 24th 1358. *St.* Patrick's *Purgatory.* *P.* 107.

8. THE Reſtitution made to the foreign Priors of their Revenues which were ſeiz'd at the beginning of the War; dated *February* the 16th 1361, at *Weſtminſter*. *Reſtitution to the foreign Priors.* *P.* 311.

9. AN Order to the Archbiſhops of *Armagh* and *Dublin* to agree about carrying of the Croſs, and to permit each other to bear it reciprocally in their ſeveral Provinces, after the Example of the Archbiſhops of *Canterbury* and *Order to the ABps of* Armagh *and* Dubl. *P.* 467.

Edw. III. *York*; otherwiſe he orders them to come to Court to decide the Difference there: 'tis dated *June* the 9th 1365, at *Weſtminſter*.

Order for impriſoning a Heretic. P. 561.

10. A PERMISSION to the Biſhop of *London* to impriſon a Heretick; dated *March* the 20th 1370, at *Weſtminſter*.

THE

A. 1373.

THE most important Acts of the four last Years of King Edward, *viz. from* 1373, *to his Death, which happen'd in* June 1377, *are inserted in the beginning of the Seventh Volume of the* Fœdera; *the chief which relate to the Affairs of* France, *are,*

1. AN Order for the Embarkment of *John* Duke of *Lancaster*, King of *Castile*, with design to go and make War in *France*; 'tis dated at *Westminster*, *April* the 28th 1373. *D. of* Lancaster *goes to* France. *P.* 7.

2. THE like Order for the Earl of *Cambridge*, who went over for the same Purpose; 'tis dated at *Westminster*, *November* the 18th 1373. *And the E. of* Cambridge. *P.* 48.

3. A TRUCE with *France* till *Easter*; dated *February* the 11th 1375. *Truces with* Fran. *P.* 53.

4. THE Prolongation of the Truce to the 30th of *June* 1376; dated at *Bruges*, *June* the 27th 1375. *P.* 68.

5. ANOTHER Prolongation of it to the 1st of *April* 1377. 'tis dated at *Bruges*, *March* the 12th 1376. *P.* 100.

6. A FULL Power to make a Peace with *France*; dated at *Westminster*, *June* the 12th 1376. *Treaty with her. P.* 110.

7. THE like full Power, dated at *Westminster*, *April* the 26th 1377. *P.* 143.

As to the Articles of Religion, or his Affairs with the Pope, we have only these three Acts.

I. POPE *Gregory*'s Letter to *Edward*, acquainting him of his Intention to go and hold his Court at *Rome*; 'tis dated at *Villeneufve*, in the Diocese of *Avignon*, the 5th of the Nones of *July* 1376. *Pope's Letter to the King. P.* 115.

Edw. III. *Accommodation of their Disputes.* *P.* 136.

II. A COMPOSITION of the Differences betwixt the King and the Pope, by which *Edward* engag'd himſelf to confer no Benefice that was vacant and unprovided, before the 15th of *February*, in the 50th Year of his Reign, but without drawing the ſame into Conſequence for the future; the Inſtrument is dated at *Weſtminſter*, *February* the 15th 1377, in the 51ſt Year of his Reign.

THE Pope enter'd into ſeveral Engagements on his part; but he did it in a manner ſo general, and with ſo many Reſtrictions, that it was plain he did not intend to cramp himſelf by any Engagements of this Nature.

1. HE promis'd for the future to be more moderate in his collating to Benefices in *England*.

2. THAT he would grant a convenient time for Elections, and that he would not fail to admit the Perſon elected, provided he was fit to ſerve the Church.

3. THAT he would give Benefices to thoſe that were in a Capacity to reſide on them.

4. AS to the Complaint which had been made to him, that a great number of foreign Eccleſiaſticks poſſeſs'd Benefices in *England*; he anſwer'd, that he had confer'd but one to any ſuch Perſon, except to Cardinals.

5. AS to the Repreſentation made to him, that the Cardinals had more Revenue in *England* than in *France*, tho *France* was three times bigger than *England*; he made anſwer, that for the future it ſhould be more moderate.

6. THAT he could not recede from the firſt Fruits; but that he hop'd to find a way to moderate them.

7. THAT as to Reverſions and Proviſions, he would not for the future be ſo ready to grant them,

them, but without any Reſtriction of his Power. A. 1374.

III. A FULL Power to treat with the Pope's Nuncios; dated at *London*, *July* the 26th 1374. by which it appears that *John Wickliff*, who made ſuch a Noiſe afterwards, was one of the Ambaſſadors whom the King ſent this Year to the Pope. J. Wickliff *ſent Ambaſſador to the Pope.* P. 41.

The chief Acts in the beginning of this Seventh Volume, relating to Domeſtic Affairs, in the Remainder of Edward's *Reign, are,*

1. A COMMISSION appointing his Son, *John* of *Gaunt* Duke of *Lancaſter*, and King of *Caſtile*, to be the King's Lieutenant beyond Sea; 'tis dated at *Weſtminſter*, *June* the 12th 1373. *Commiſſion to* John *of* Gaunt. P. 13.

2. *EDWARD*'s Grant to *Alice Perreres* of ſome Jewels, which had belong'd to his deceas'd Queen *Philippa*. This is the only Act we find here that gives any Indication of the Affection which *Edward* conceiv'd for this Lady in his old Age. She is by ſome Authors call'd *Alice Piercy*, by others *Piers* or *Pierce*; but in this Grant, which is dated at *Woodſtock*, *Auguſt* the 8th 1373, ſhe is call'd *Perreres*, which probably was her true Name. * Edward's *Grant to* Alice Perreres. P. 28.

3. A

* MR. *Barnes*, who calls her *Alice Perrers*, quotes *Stow*'s Survey of *London*, to prove that ſhe was a Perſon of ſuch extraordinary Beauty, that about the Year 1374 ſhe was made Lady of the *Sun*, and rode from the Tower of *London* thro' *Cheapſide*, accompanied with many Lords, Knights, and Ladies; every Lady leading a Lord or a Knight by his Horſe's Bridle, till they came to *Smithfield*, where preſently began a ſolemn Juſt or Tournament, which held for ſeven Days together. But

Edw. III.

Edward's *Death.* *P.* 151.

3. A MEMORANDUM of the Day of *Edward* the Third's Death, *viz.* *June* the 21ſt, *A. D.* 1377, and of his Reign the 51ſt, at his Manor of *Shene* in *Surry* *.

But tho it appears from a Record mention'd by Sir *Robert Cotton*, that this Lady was in ſuch Credit with King *Edward* III. that ſhe ſat at his Bed's Head, when others were fain to ſtand at the Chamber-Door; and that ſhe mov'd thoſe things to him which they of the Privy-Chamber durſt not; yet Mr. *Barnes* will by no means allow what is aſſerted by very many Writers, that ſhe was King *Edward*'s Concubine, becauſe of the Improbability that he who was ſo chaſte in the Flower of his Years, ſhould burn with Luſt in the very Impotence of Age; and that ſo noble a Baron as the Lord *William Windſor* ſhould afterwards take her in Marriage, if ſhe had been thought ſo lewd at that time as ſhe has been repreſented ſince.

* EDWARD *the Third's Character.*

WE cannot well diſmiſs this great and glorious Reign, without giving a Summary of *Edward*'s Character and Succeſſes, from his Hiſtorian Mr. *Barnes*.

HE was a Prince, ſays Mr. *Barnes*, the ſooneſt a Man, and the longeſt that held ſo of any we meet with; his Stature not exceeding the uſual Bigneſs of Men, but of the middle ſort, that is, juſt ſix Foot high; his Limbs neat and well-made, his Body ſtrong, his Shape exact, his Viſage ſomething long, but exceeding comely, graceful, and angelical; his Noſe long, ſtrait and manly; his Eyes ſparkling and Majeſtic, but with ſo much Sweetneſs, that it was reckon'd a good Omen to behold his Face, tho only in a Dream. Fortunate he was beyond meaſure, eſpecially till the ſix latter Years of his Reign: Wiſe and provident in Council; well-learned in the Laws, in Hiſtory, Humanity, in Divinity. He underſtood *Latin*, *French*, *Spaniſh*, *Italian*, and high and low *Dutch*, beſides his Native Language. He was of quick Apprehenſion, judicious and skilful in Nature, elegant in Speech; ſweet, familiar, and affable in Behaviour; ſtern to the Obſtinate, but calm and meek to the Humble; magnanimous and courageous above all the Princes

Princes of his Days; apt for War, but a Lover of Peace; never puffed up with Proſperity, nor diſmayed at Adverſity. He was of an exalted, glorious, and truly royal Spirit, which never entertain'd any thing vulgar or trivial, as may appear by the moſt excellent Laws which he made, by thoſe two famous Jubilees he kept, and by the moſt noble Order of the Garter, which he firſt deviſed and founded. His Recreations were Hawking, Hunting and Fiſhing; but chiefly he lov'd the Martial Exerciſe of Juſts and Tournaments. In his Buildings he was curious, ſplendid and magnificent, in beſtowing of Graces and Donations free and frequent; and to the Ingenious and Deſerving always kind and liberal; devout to God, bountiful to the Clergy, gracious to his People, merciful to the Poor, true to his Word, loving to his Friends, terrible to his Enemies. And becauſe he was ſo ſtrictly obſervant of his Faith and Honour, and withal ſo valiant, politick and fortunate, his Subjects imagin'd that to live under him was to reign in Triumphs; and his Renown ran abroad even to barbarous and foreign Nations; and all thought themſelves happy and ſecure, if they were either under his Protection, or any way Confederate with him. The *Turks* and *Saracens* fear'd him; the oppreſs'd Chriſtian Princes humbly implor'd his Aſſiſtance; the *Germans* he had at his Command during the time of his Lieutenancy under *Lewis* of *Bavaria*, and might have had them entirely, had he accepted their Proffer of the Empire: The *Flemings* were his Confederates; the *Italians* he oblig'd to him by the Bond of Affinity; the *French*, *Spaniards*, and *Scots* he ſubdued by force of Arms; he won *Calais*, recover'd *Aquitaine*, *Normandy*, and *Ponthieu*; and took *John* King of *France*, and *David* King of *Scots*, his Priſoners; being the firſt of *Engliſh* Kings that bore the Arms and Title of *France*. In ſhort, he had the moſt Virtues, and the feweſt Vices of any Prince that ever I read of; he was valiant, juſt, merciful, temperate, and wiſe; the beſt King, the beſt Captain, the beſt Lawgiver, the beſt Friend, the beſt Father, and the beſt Husband in his Days. And after all this, adds Mr. *Barnes*, his very Enemies will be found to ſay much more of him.

To this we ſhall join the Teſtimony of a Perſon of Honour, *viz.* Sir *Robert Howard*, in his Compariſon of the Reigns of the three firſt *Edwards* and *Richard* II.

EDWARD III. ſays Sir *Robert*, by the Virtues and Methods of his Grandfather, reſtor'd

reſtor'd what his Father had loſt. He obſerves, that he came to the Crown, after it had been *ſhaken* by the *Errors* of his Father: That like *Edward* I. he was a Man *earlier* than others, and *victorious* before others us'd to *attempt* Victory; ſo that before he *was King*, he ſhew'd *how fit he was to be ſo*. That tho he was able to *judge*, yet he was never unwilling to hear the *Judgment of others*: That he was *deliberate* in *reſolving*, and *firm* in his *Reſolutions*; unſhaken in *Dangers*, and ſteddy and equal in *Safety*: That his *Promiſes* were *Mankind's Security*, and *Truth* his *Wiſdom*: That his great *Virtues* and *Courage* made the Nation expect *Succeſs* from all his *Actions*: That he grew *fierce* by *Oppoſition*, and *gentle* by *Submiſſion*: That he ſeldom deny'd *Pardon* to thoſe who implor'd it, nor ſuffered any *abuſed Mercy* to paſs unrevenged: That he was mighty enough to conquer Enemies, and powerful enough to forgive thoſe he conquer'd: That he was equally *victorious* both to *himſelf* and *others*; and that thoſe who *ſubmitted* to him prov'd always more fortunate than thoſe who *reſiſted*: That in his greateſt *Hazards* he requir'd none to attempt more than he did in his *own Perſon*; and in the greateſt *Proſperity* and *Safety* preſcrib'd no more *Virtue* and *Temperance* than he gave *Examples* for: That he knew how to *gain Power*, and how to *uſe it*: That he who might have the *eaſieſt* attempted to *break* Laws, made the *beſt*: That he knew how to *gain*, and how to *preſerve* the Love and Confidence he rais'd in his Subjects Hearts, by requiting the *firſt*, and never abuſing the *laſt*: That his great *Taxes* and *Supplies*, however large they might appear in *themſelves*, would not ſeem ſo vaſt when compar'd with his *Victories*, the Conqueſt of *Wales*, *Scotland* and *France* being not ſuch *light Victories* to be obtain'd with *ſmall Aſſiſtance*; and that what the Nation gave him was *juſtly beſtow'd* for what it was given, and *faithfully laid out* for their Honour and Intereſt: That he not only return'd *Security* and *Benefit* for his Subjects *Gifts*, by *Conqueſts* abroad, but by *excellent Laws* at home; That what *Edward* I. began well, *Edward* III. gave Perfection to: That this brave Prince was not more *juſt* in making *good Laws*, than *ſevere* in the *due Execution* of them; and never ſhew'd ſo much Severity as againſt thoſe that abuſed the *Truſt of Juſtice*; as if he had been more offended at the *Enemies of Mankind*, than at *his own*: That he mingled his *own Intereſts* with his *Subjects*, and never refus'd to *hear the Wrongs* of thoſe that aſſiſted

him to *revenge his Injuries on others:* That both *Edward* I. and *Edward* III. were *equally valiant*, and *equally ſucceſsful*; and both died uncheck'd by Fortune, only *Edward* I. *died himſelf*, and *Edward* III. *outliv'd himſelf.* But the Death of his *Glorious Son*, the *Black Prince*, join'd with the weight of *Old Age*, might juſtly make that *Sun* ſet *clouded.*

FROISSARD ſays that when *Charles* of *France* heard of the Death of his Enemy King *Edward*, he gave this Teſtimony of him, *viz. That he had reign'd moſt nobly and valiantly, and well deſerv'd to be added to the Number of the antient Worthies.* And ſoon after he aſſembled all the Nobles and Prelates of his Realm, and with them ſolemnly perform'd his Obſequies. We ſhall ſhut up his Character with the *Latin* Epitaph on his Tomb in *Weſtminſter-Abbey*, according to the Rhyme of thoſe Days.

Hic Decus Anglorum, Flos Regum Preteritorum,
Forma Futurorum, Rex Clemens, Pax Populorum
Tertius Edvardus, Regni complens Jubilæum,
Invictus Pardus, Bellis pollens Machabeum.
Proſpere dum vixit, Regnum Pietate revixit:
Armipotens Rexit: Jam Calo (Calice Rex) ſit!

Tertius Edwardus *Fama ſuper æthera Notus.*
PUGNA PRO PATRIA.
M.CCC.LXXVII.

THE Inſtitution of the moſt noble Order of the Garter, being univerſally allow'd to be one of the Glories of this Reign, deſerves to be mention'd before we paſs to the next. However uncertain the Original or Foundation of it may appear, from the various Accounts given of it by Mr. *Aſhmole* and other learned Antiquaries, which we ſhall not undertake to reconcile in this place, 'tis certain that it was inſtituted by King *Edward* III. in the Year 1349, and as Mr. *Aſhmole* ſays, on the 23d of *April*, the Anniverſary of St. *George*, call'd the Patron of *England*, and of this Order in particular. As to the common Opinion that it was

was inſtituted by this King in Memory of his taking up the Counteſs of *Salisbury*'s Garter, which dropp'd off her Leg at a Ball; and that the Motto *Honi ſoit qui mal y penſe*, was taken from the Anſwer he made to that Lady, when ſhe was ſurpriz'd to ſee him ſtoop down to her Feet; Mr. *Rapin* and the beſt Hiſtorians decry it, and reckon it a Diſhonour to an Order which has ſhone thro'out ſo many Ages with ſuch Splendor, to aſcribe its Original to an Act of ſo much Levity. To omit the mention of other Opinions, which ſtand unſupported by any ſufficient Proofs, this is indiſputably true, that King *Edward*'s main Deſign was to engage all that had then or were hereafter to have the honour of being admitted into that Society, to diſtinguiſh themſelves by their Courage and Virtue: That no Order of the like nature has ſo nicely obſerv'd the Rules of its Inſtitution: That it is more antient than even thoſe of the *Golden Fleece* or the *Holy Ghoſt*: That it has always kept up its old number of Companions, which is twenty ſix, including the Sovereign of the Order, who is always the King or Queen of *England*. And the foreign Kings and Emperors to the number of near forty, as well as many other Sovereign Princes, who have been admitted into this illuſtrious Order, ſhew the Eſteem that all *Europe* has had for it.

Bishop *Nicholſon*, who makes the Improvement of the Regulation of the Coin another of the Glories of this Reign, takes notice of King *Edward*'s Groats, coin'd after he took the Title of *France*, bearing his Head crown'd and inſcrib'd *Edward. D. Gra. Rex. Angl. & Franc. D. Hyb.* and on the reverſe *Poſui Deum Adjutorem meum*, (a Motto continued by all his Succeſſors down to the Union of the two King-

Kingdoms) and the Biſhop infers by the numbers of them daily diſcover'd, eſpecially on the Frontiers of both Kingdoms, that they were miſtaken who obſerv'd, that his Victories and Expeditions in *France*, *&c.* drain'd almoſt all the Money out of the Kingdom. The Biſhop gives the Form of one of his Grants to the Abbot and Monks of *Reading* for the Coining of Halfpence and Farthings, and ſmall Pieces of Sterling Money; from whence he conjectures, that the Abbots, or other great Men in thoſe Days, were only permitted to coin ſmall Pieces, uſeful in exchange, as our Kings to this Day grant Patents for Copper Halfpence and Farthings; and that the Sovereign reſerv'd the ſole Power of coining the larger Money to himſelf, by his own immediate Officers.

WE

Rich. II.

WE now enter the Reign of Richard II.

'WHICH, says Mr. *Rymer* in his Dedi-
'cation of the Seventh Volume of the
'*Fœdera* to Queen *Anne*, affords but little Mat-
'ter that may shine in History, and cannot
'boast of any one great and distinguish'd Cap-
'tain, any one memorable Battel, nor one im-
'portant Siege; no Proceeding to St. *Paul's*,
'no *Te Deum* for Victory.

'BEYOND the *Pyreneans*, *John* Duke of
'*Lancaster*, without fighting, made a Compo-
'sition with his Adversary, and took an Equi-
'valent for the Crown of *Spain*.

'BEYOND the *Alps*, Sir *John Hawkwood*
'gave Law to the *Italian* Princes, and taught
'them the Mystery of commanding Armies.

'BUT on this side the Mountains continued
'a wavering, hazy, undetermin'd Face of
'Things, neither Peace nor War.

'PROROGATIONS of Truces, Abstinen-
'ces, Sufferances, Patiences, Tolerances were
'the Language and the Amusement of the
'Times; and all the while were kept on foot
'Treaties for a *Perpetual Peace*:

'TREATIES hitherto fruitless, illusory and
'unpracticable.'

RICHARD II. (says Mr. *Rapin*) Son to the famous Prince of *Wales*, succeeded his Grandfather King *Edward* III. *June* the 21st 1377, when he was but eleven Years of Age, and reign'd to the end of *September* 1399.

THIS Seventh Volume of the *Fœdera*, and a small part of the Eighth, contain the Acts which relate to the Events that happen'd in the Reign of this Prince. Of all the Volumes I have

have run thro', this ſeems to me to have the fewest Pieces in it, which are capable of illuſtrating any part of the Hiſtory of that Time. There's but a ſmall number of thoſe which regard the principal Events; whereas on the contrary, there's a Multitude relating to Matters of an independent nature, of which I could not poſſibly make an Abridgment without running into too great a length. I ſhall confine my ſelf therefore to the ſix chief Articles, which concern *France*, *Great-Britain*, *Scotland*, *Caſtile*, Domeſtic Affairs, and the Church; there being few remarkable Events in the whole courſe of this Reign, but what are contain'd under one or other of thoſe Articles. *A.* 1377.

I. *The Affairs of* France.

THE Truce which *Edward* III. had made with *France* expir'd in *April* 1377, near three Months before his Death, at a time when the *Engliſh* had not made the leaſt Preparation to renew the War; whereas on the contrary, *France* was eager to improve the Opportunity of the Weakneſs of a dying Enemy, and of a Minority, which in all probability would be attended with Conſequences fatal to *England*. However, *Charles* V. did not renew the Hoſtilities till towards the end of *June*, five or ſix Days after *Edward*'s Death. Then it was that the *French* made a Deſcent upon *England* and the Iſle of *Wight*, and committed great Ravages, becauſe of the little Oppoſition they met with from the *Engliſh*. French *invade* England.

NEXT Year (1378) the King of *Navarre*, who had great Domains in *Normandy*, deliver'd up *Cherbourg* to the *Engliſh*; but tho this Acquiſition gave them as fair an Inlet into *Normandy*, Cherbourg *deliver'd to the* Engl.

Rich. II. as they had before in *Picardy*, by the means of *Calais*, yet they made no advantage of it.

In 1380 they made an Effort to ſupport the Duke of *Bretagne*, but they fail'd of the Succeſs which they expected.

Death of Charl. V. *and Acceſſion of* Charl. VI.

CHARLES V. dying in that Year, and *Charles* VI. his Succeſſor, being a Minor when he aſcended the Throne, the War was carry'd on but faintly on the part of *France*, and more weakly ſtill on the ſide of *England*, which was but in an indifferent plight.

Another Deſcent, and a Truce.

In 1383 the *French* made another Deſcent upon *England*; but not long after, the two Crowns concluded a Truce of ten Months, which was next Year prolong'd for a ſhort ſpace.

Deſign of France *againſt* England.

The ſaid Truce expiring in 1385, the King of *France* ſent a powerful Reinforcement to the King of *Scotland*, to make a Diverſion in the Northern Counties of *England*, while he was preparing a Fleet to ravage the Southern Coaſts. The Court of *England* was ſo alarm'd at the Preparations of *France*, that they aſſembled all the Militia of the Kingdom, and muſter'd an Army of 300000 Men; which Precaution ſo terrify'd the *French*, that they dropp'd their Projects, and left the *Scots* alone to bear the whole Expence of the War.

In 1386 the Duke of *Lancaſter*, *Richard*'s Uncle, having carry'd an Army of 20000 Men into *Caſtile*, *France* reſolv'd to lay hold of that Opportunity to conquer *England*, and for that end prepar'd an Army of 60000 Men, and a Fleet of 900 Ships. But 'tis pretended that the Duke of *Berry*, who was Uncle to *Charles* VI. baulk'd the Expedition by an affected Delay. However that was, thoſe Troops were not embark'd, the Tranſports deſign'd to carry them were

were ſcatter'd by a Tempeſt, and ſome of them actually taken by the *Engliſh*. *A.* 1391.

The great Expence laid out upon this Armament was ſuch, that the King of *France* was not able to do much afterwards. *Richard* on his part was equally unable to proſecute the War. Conſequently in 1389 the two Kings concluded a Truce for three Years, which in 1391 was prolong'd for another Year. *Truce.*

RICHARD's Diſinclination to Arms, and the exceſſive Charge he was at in other Reſpects, to no purpoſe, hinder'd him from thinking ſeriouſly on a War. On the other hand, *Charles* VI. being ſeiz'd in 1392. with a Diſtemper which very often depriv'd him of the Uſe of Reaſon, the Court of *France* fell into ſo many Diviſions, that inſtead of putting themſelves in a Poſture, to make an advantage of the Enemy's Supineneſs, they only aim'd at each other's Ruin; which was the reaſon that nothing conſiderable happen'd from the time the Hoſtilities were renew'd, till the Year 1395. *Another.* that the two Crowns agreed upon a Truce for 28 Years, which was ſeal'd by the Marriage of *Richard* with *Iſabel*, *Charles* VI's Daughter. *Richard's Marriage.*

It may eaſily be ſuppos'd that there are not very many important Pieces upon this Article, in the Volume before us: all that we find in it being only Orders to guard the Coaſts, Paſſports for Ambaſſadors, and Treaties of Truce, which were often renew'd.

The following is a Letter which the Lord of *Coucy*, Son-in-law to *Edward* III. wrote to *Richard*, when he ſent him back the Order of the Garter; whereby we may gueſs at their manner of Writing in thoſe Days. *L. of Coucy ſends back the Order of the Garter.* *P.* 172.

TRESHONNOURE ET TRESPOISSANT SEIGNEUR,

VOSTRE Noble & Grant Seignourie ſcet & congnoit aſſez l'Alliance, que de la Grace & Bonte de Treſpoiſſant & bon Roy, mon Treshonnour & Treſredoubte Seigneur & Pere, le Roy, derrainement Treſpaſſe (que Dieux face Merci) a pleu que j'ai en aly & au encore avec vous: dont Treshonnoure Seigneur je vous Mercie tant comme je puis & ſcai.

OR eſt il avenu que la Guerre eſt entre le Roy de France, mon naturel & Souverain Seigneur, d'une part, & vous d'autre.

DONT il me deſplait plus que de choſe qui puiſt eſtre en ce Monde, ſe Admender le peuſſe.

ET m'a Commande & Requis que je le ſerve & acquitte mon devoir, comme je y ſui tenus, au quel comme vous ſavez bien, je ne doy deſobeir, ſi le ſervirai a mon poir, comme je le doy faire.

ET pour ce, Treshonnoure & Treſpoiſſant Seigneur, que on ne puiſt, en aucune maniere, Parler ne Dire choſe qui fuſt contre moy ne mon Honneur, vous fais aſſavoir les Choſes deſſuſdites, & vous Renvoie tout ce que je pourie tenir de vous en Foy & Hommage.

ET auſſi, Treshounoure Seigneur, mon Treſredoubte Seigneur & Pere deſſuſdit vuolt moy ordonner & mettre en la treſnoble Compaignier & Ordre du Jartier; ſi plaiſe veſtre treſnoble & poiſſant Seigneurie de pourveoir, en lieu de moy, tel ou ainſi que il vous plaira, & moy tenir pour excuſe en ce.

CAR, Treshonnoure Seigneur, ſe en autre maniere vous ne voliez aucune choſe commander, je le feroie de tout mon pooir.

TRES-

TRESHONNOURE ET TRESPOISSANT SEIGNEUR, je prie a Meſſire qu'il vous dont bonne Vie & longue. A. 1377.

Eſcript le 26 Jour d'Aouſt, 1377.

i. e. Moſt Honoured and moſt Potent Lord,

YOUR Majeſty very well knows the Alliance which by the Grace and Goodneſs of the moſt potent and good King, my moſt honoured and moſt dread Lord and Father, the King lately deceas'd (on whoſe Soul may God have Mercy) was pleas'd that I ſhould make with him, and alſo with you; for which, moſt honoured Lord, I thank you with all my Heart.

IT happens now that there is a War betwixt the King of *France*, my natural and ſovereign Lord, on the one part, and you on the other; which gives me more Uneaſineſs than any one thing in the World.

FOR I am both commanded and requir'd to ſerve him, and to diſcharge my Duty as I am bound to him, whom you well know I ought not to diſobey, but to ſerve to the utmoſt of my Power.

AND moſt honoured and moſt potent Lord, that nothing whatſoever may be ſaid by way of Reflection againſt me or my Honour, I advertiſe you hereof, and renounce whatſoever Fidelity and Homage I owe to you.

AND, moſt honoured Lord, whereas my moſt dread Lord and Father, above-mention'd, was pleas'd to aſſociate me with the moſt noble Companions of the Order of the Garter, may your moſt noble and potent Lordſhip be pleas'd to provide one that you ſhall think fit in my place, and to excuſe me.

Rich. II. FOR, moſt honoured Lord, you may command me in any thing elſe whatſoever, and I will do it with all my Might.

MOST honoured and moſt potent Lord, I pray God grant you a long and happy Life.

Written the 26th Day of *Auguſt* 1377.

Richard's *Letter to the D. of* Lancaſter. *P.* 407.

THERE is a Letter from *Richard* II. to his Uncle the Duke of *Lancaſter*, impowering him, if he thinks fit, to propoſe to the King of *France*, in his Name, to put an end to their Diſpute, by ſingle Combat betwixt them two alone, or each ſeconded by his three Uncles, or elſe by a general Battel. The Letter is dated at *Weſtminſter*, *September* the 8th 1383.

RICHARD was then 17 Years of Age, and *Charles* but 15; conſequently there was no likelihood that the Challenge would be accepted, or that the Duke of *Lancaſter*, whom the King left to his Liberty to propoſe it or not, would engage him in ſuch a Duel.

Truces with Fran. *P.* 622.

THERE follow'd a Treaty of Truce, concluded at *Lenlingham*, between *Ardres* and *Calais*, from *June* the 18th 1389, to *October* 1392. And,

P. 820.

ANOTHER for 28 Years, from *September* the 29th 1398, to the ſame Day in 1426.

II. *Affairs of* Bretagne.

D. of Bretagne *baniſh'd, but recall'd.*

THE Duke of *Bretagne* had always eſpous'd the Intereſts of his Father-in-law, King *Edward* III. which was enough to incenſe the King of *France* againſt him, who, by the Connivance of the Lords of *Bretagne*, turn'd him out of his Dominions, and compell'd him to take refuge in *Flanders*. The Duke of *Lancaſter* willing

willing to try if he could reſtore him, went and laid ſiege to *St. Malo*, but was oblig'd to raiſe it. *Charles* V. being yet more enrag'd againſt him after this Enterpriſe, caus'd him to be ſummon'd before the Court of Peers; and for his non-appearance got an Arret paſs'd for reuniting *Bretagne* to the Crown of *France*. Then the *Bretons* perceiving that he was for making that Duchy his own, recall'd their Duke, who to ſupport himſelf made a Treaty with the *Engliſh*, by which he gave them *Breſt*. In purſuance of this Treaty, the Earl of *Buckingham*, *Richard*'s Uncle, was ſent into *Bretagne* with an Army of 8000 Men, whom he put aſhore at *Calais*, in order to march by Land. While he was upon the Road, King *Charles* V. dy'd, leaving his Succeſſor at no more than 12 Years of Age. This ſeeming a favourable Conjuncture for the Duke of *Bretagne*, he made a ſeparate Peace with *France*, and ſent home his Forces. The *Engliſh* nevertheleſs kept *Breſt* till 1397. that *Richard* reſtor'd it to the Duke for a ſmall Sum of Money.

A. 1378.

Siege of St. Malo.

Breſt *given to the* Eng.

E. of Buckingham *lands in* France.

Death of Charles V.

Peace with France.

Breſt *reſtor'd.*

OF the numerous Acts which relate to *Bretagne*, the two of moſt importance are,

1. A TREATY by which the Duke of *Bretagne* engages to give *Breſt* to the *Engliſh*, on condition that the ſaid Place be reſtor'd to him, when the War is made an end of, either by a Peace or by a long Truce: 'tis dated at *Weſtminſter*, *April* the 5th 1378.

Treaty about it. P. 190.

2. A TREATY of Alliance, offenſive and defenſive, betwixt the King of *England* and the Duke of *Bretagne*, by which the two Princes engage to make neither Peace nor Truce without each other's conſent; dated at *Weſtminſter*, *March* the 1ſt 1380.

Betwixt Richard *and the D. of* Bretag. P. 236.

Rich. II. THIS Treaty was broke in a few Months after by the Duke.

HERE are many other Acts in this Seventh Volume of the *Fœdera*, relating to the Earl of *Buckingham*'s Expedition, and to the Town of *Breſt*.

III. *Affairs of* Scotland.

K. of Scotland *takes* Roxburgh. THE Truce which *Edward* III. had made with *Scotland* was to continue till the Year 1384. but it was ill obſerv'd by both Nations, who reproach'd each other for breaking it. This was a fair Pretext for *Robert Steuart*, King of *Scotland*, who as ſoon as *Edward* III. was dead, ſurpriz'd and took *Roxburgh*.

And Berwick. IN 1378, he alſo ſeiz'd the Caſtle of *Berwick*, which was preſently retaken by the Earl of *Northumberland*.

IN 1380, the Duke of *Lancaſter*, who had got the *Engliſh* Council to paſs a Reſolution for ſending Succours to the King of *Portugal* againſt *Caſtile*, thought it neceſſary, before thoſe Troops were ſent away, to confirm the Truce with *Scotland*. For this end he went himſelf to the Frontiers, but he met with vaſt Difficulties in the Negotiation of that Affair. The *Scots* aſſerted that the *Engliſh* were the firſt that broke the Truce; and that if they had a mind to renew it, they muſt come to new Terms: but to this the *Engliſh* would not conſent, and only demanded a Confirmation of the Truce. Till this Difference could be made up, the Duke of *Lancaſter* obtain'd an Engagement, that inſtead of confirming the Truce, reciprocal Securities ſhould be given on both ſides, that no Hoſtilities ſhould be committed for three Years. It was very happy for *England* that this Affair was

Negotiations for a Truce with Scotland.

determin'd before they had the News in *Scotland* of the Inſurrection in *Kent*, of which by and by. *A.* 1383.

IN 1383, *Robert* made an Incurſion into the North parts of *England*, while the *French* ravag'd the Southern Coaſts. But not long after *France* and *England* agreed upon a Truce, in which room was left for the King of *Scotland*, in caſe he had a mind to come into it. Mean time he delay'd ſo long to return an Anſwer, that the Duke of *Lancaſter* enter'd *Scotland*; and *Robert* finding himſelf no longer ſupported by the *French*, he deſir'd to be included in the Truce, which was granted. *Truce concluded with* Fran. *And with* Scotland.

IN 1385. while the King of *France* was preparing to conquer *England*, the King of *Scotland* made a ſecond Incurſion into the Northern Frontiers; and *France* miſcarrying in her Deſign, as has been already obſerv'd, *Richard* march'd himſelf into *Scotland*, and ravag'd the Neighbourhood of *Edinburgh*. If he had been wiſe enough to have improv'd his Advantages, he might have conquer'd that Kingdom; but being ſoon weary of the War, he retir'd, leaving his Work imperfect. Scots *and* Engliſh *invade each other.*

AFTER that time the *Scots* were included in all the Truces which were made betwixt *France* and *England*.

THERE's a great number of Acts in this Volume relating to *Scotland*, ſome of which may be of uſe to ſuch as write the Hiſtory of that part of *Great-Britain*, eſpecially on account of the Dates; but I have not met with any remarkable enough to be particularly inſiſted on in this Abridgment.

AMONG thoſe Acts there are ſome in *Engliſh*, as they then wrote and pronounc'd it in *Scotland*.

THO

Rich. II. [THO Mr. *Rapin*, who wrote his Abridgment abroad, and deſign'd it chiefly for the uſe of Foreigners, did not think it neceſſary to inſert any Example of this kind, the Tranſlator has thought fit to exhibit one of theſe Acts in this place, as ſuppoſing there are ſome modern Readers on both ſides the *Tweed*, to whom an Act that contains ſo many obſolete *Engliſh* Terms, and ſuch ſtrange Spelling, will be at leaſt entertaining, if not uſeful.

'TIS call'd *Indentura ſuper Prorogatione Treugarum Scotiæ*, and runs thus.]

'*YIS ENDENTURE*,

'MADE at the Water of *Eske*, beſide *Salom* 'the xv Day of *March*, the Zher of our Lord 'M. CCC. XX. and IV. betwix noble 'Lards and meghty Seighuris, *Henry Percy* 'Earl of *Northumbre* of the Ta part, and '*Archibeald* of *Douglas*, Lord of *Galway*, on 'the Toyir parte,

CONTEYNS AND BERREZ UITNES,

'THAT Day of Radreſs ſal be halden be'twix yam in proper Perſons, at the place be'for ſaide, the xix Day of *Auerill* next, for to 'do and take full Radreſſe, and Execution of 'all thinges done betwix yair Boundes apan 'the *Weſtmarchie*, begynande the xiv Day of '*Octobre* to *Candlemaſſe* Day laſt paſſyt.

'And yan it fell in Speech betwix the for'ſaid Lordes, that, in entent of common Pro'fit of bathe Reaumes, gif hit meght happen 'of langer Trewe, or els of Pees, gif God 'vald vouche ſauf, and als for the Tyme is to 'ſchort to mak full Redraſs beforſaid, the for'ſaid Lordes *ARE ACCORDIT*, in ſpe'cialte, as after followes; that is for to ſay,

THE

'THE Earl of *Northumbre* for him, and for A. 1360.
'the Lord *Nevill*, and the Lord of the
'*Galleway* for the Earl of *Douglas* and for hym-
'ſelf, yat ſpeciall Trewe and Aſſurance ſall be-
'twix thaim and yair Boundes, betwix this
'and the firſt Day of *July* next, for to com,
'Contenant and Havenand the force and ef-
'fecte, in all Poynts, as the nixt Trewe gang-
'and before.

'*ALSO IT IS ACCORDIT*, that du-
'rant the tyme beforſayde, nane of the Lords
'beforſayde, ne nane of yair Boundes, ſal do
'skate to ya of the Boundes of the tothir Partie;
'but ya ſall ger it be redreſſet, als Lawe of
'*Marchevill*, entrechaungeably.

'AND gif it happens that any gretter, auir
'of the ta Reaume, or of the toyir, ſchapes
'for to ride white oſte ilkham of the Lordes
'beforſayd, enterchangeably, ſall ſet let yaie
'in, at yair Powair: and in cas yay may noght
'let it, yai ſall ger warne ye toyer part of xv
'Dayes, and yai ſall nought be at that Ry-
'dying, bot yay ſall lely let yaim of yair
'Boundes at yair Powair, for owten fraude or
'gile.

'*AND ALSO IT IS ACCORDIT*,
'that this Condicion of ſpecial Treuwe and
'Aſſurance, ſall ſtande and be kep hit fullely,
'by ſealls vell as for yair Bondes be Lande, as
'the Trewes beforſaid askys.

'*AND ALSO HIT IS ACCORDIT*,
'that gif yie ſpecialx Trewes likes to the Erle
'of the *Marche*, to be compryſet whitein yaime
'that yai ſall ſtand furght for hym and his
'Boundes, and he ſall ſtand for hym and his
'Boundes, under the ſamen Condicion, anen-
'tys yaim and yair Boundes.

'AND

Rich. II. ‘ And gif yir Covenantz beforſayd likis or
‘ miſlikes to the forſayd Erle of *Northumbre*, or
‘ to the Lord *Nevill*, yay ſal certify be yair Let-
‘ tres, or be on of yairs, opon *Blakmonday*,
‘ that next comis, before none, at the Chapell
‘ of *Salon* be ye Water of *Eske*.

‘ And in the ſamen manere, gif hit likis
‘ or miſlikis to the Erle of *Douglas*, or to the
‘ Lord of *Galleway*, yay, or ane of yaim, ſall
‘ certifie, be Lettre at the Place, Day, and
‘ Oure beforſayd. And in cace gif yai cer-
‘ tifie, that this ſpecialtie ſtand, yat Day, yat
‘ chuld be halden ye xix of *Averill*, chald be
‘ chort to the xv Day of *May* next to come, to
‘ be halden in all force and effecte as the xix
‘ Day of *Averill*, and the Day on the *Eſt marche*
‘ ſall be delayied, in the ſamen maner, as it is
‘ endendit to be halden the xxix Day of *May*.

‘ *AND ALSO IT IS ACCORDIT*,
‘ that all Priſoners, taken on boye the ſidis,
‘ ſall be frely deliverid, and all yair Borons
‘ freth it.

‘ *ALSO IT IS ACCORDIT*, gif ony
‘ ſtellis accyr on the ta part, or on the toyer,
‘ yat he chall be henget or hefdhit.

‘ And gif any Company ſtellis any Gudes
‘ within the Trieux beforſayd, ane of that
‘ Company ſall be hengit or henſdit; and the
‘ remenant ſall reſtore the Gudys ſtollen in the
‘ Double.

‘ *IN THE WITNES* of wiſche thinges,
‘ leley to be halden and fulfyllyt, the forſayd
‘ Erle of *Northumbre*, and the Lord of *Galle-*
‘ *way*, has ſet yair Signetz, enterchangeably,
‘ in abſens of yair Selles, Day and the Yer
‘ beforſayd.

IV. *Af-*

IV. *Affairs of* Caſtile.

IT was obſerv'd in our Account of the Sixth Volume of the *Fœdera*, that *Peter*, ſurnam'd the *Cruel*, King of *Caſtile*, had been reſtor'd to his Kingdom by the Prince of *Wales*, who afterwards left him in diſguſt. When he was gone, *Peter* was again attack'd by his Baſtard Brother *Henry*, who routed him, and kill'd him with his own Hands, in the Tent of *Du Gueſclin* the *French* General, where they happen'd to meet. After the Defeat and Death of *Peter*, *Henry* was recogniz'd King of *Caſtile*. *King of Caſtile kill'd in Battel.*

PETER had left two Daughters, *Conſtantia* and *Catherine*, who retir'd to *Bayonne*, where, notwithſtanding their Father's Ingratitude, the Prince of *Wales* was pleas'd to give them ſhelter. And when that Prince quitted *Guyenne* upon account of his Illneſs, he left his Brothers there, *viz.* the Duke of *Lancaſter* and the Earl of *Cambridge*, who ſoon after married both thoſe *Caſtilian* Princeſſes. The Duke of *Lancaſter*, who had the eldeſt to his ſhare, immediately aſſuming the Title of King of *Caſtile*, it occaſion'd the Baſtard *Henry*'s cloſe Union with *France*; and from that time there was always open War betwixt *England* and *Caſtile*. *Marriage of his Daughters.*

DURING the Reign of *Richard* a Rupture, which happen'd betwixt *Ferdinand* King of *Portugal*, and the King of *Caſtile*, oblig'd *Ferdinand* to apply to *England* for Aſſiſtance; and on that condition he offer'd his only Daughter *Beatrix* in Marriage with the eldeſt Son of the Earl of *Cambridge*, and to have him declar'd his Preſumptive Heir. This Offer being accepted, the Earl of *Cambridge* was ſent with an Army into *Portugal*: But *Ferdinand* having obtain'd all that he *Quarrel between the K's of* Portugal *and* Caſt. *K. of* Port. *puts a Trick upon the* Engl.

Rich. II. he aim'd at by it, which was to make a more advantageous Peace with the King of *Caſtile*, he gave his Daughter to his Son the *Caſtilian* Prince, and ſent the *Engliſh* back again.

Another Quarrel. In 1363, or thereabouts, a new Quarrel broke out betwixt *Caſtile* and *Portugal*: for *Ferdinand* dying without any Child beſides *Beatrix*, the Wife of *John* King of *Caſtile*, who had now ſucceeded his Father *Henry*, *John* pretended that the Crown of *Portugal* was devolved to his Wife *Beatrix*; but the *Portugueſe* plac'd *John* upon the Throne, who was Baſtard Brother to their laſt King. This occaſion'd a War, which did not prove ſo fortunate for the King of *Caſtile* as he hop'd; yet being reſolv'd not to recede from his Pretenſions, he ſued to *France* for Succours, while the new King of *Portugal* on the other hand made an Alliance with the King of *England*, and with the Duke of *Lancaſter*, whom he own'd for King of *Caſtile*. *Richard*, who had no great Affection for the Duke his Uncle, was very glad of an Opportunity to be rid of him on ſo fair a Pretence, by giving him the Command of 20000 Men, to go and aſſert his Rights to *Caſtile*. The Duke landed at *Corunna*, and in the very firſt Campaign took *Compoſtella*, and many other places. During the Winter he made a Match betwixt *Catherine* his eldeſt Daughter by his firſt Wife *Blanche* of *Lancaſter*, and the King of *Portugal*. Without dwelling upon the Particulars of this War, it ſhall ſuffice to ſay that it was concluded by a Treaty. The Duke marry'd *Conſtantia*, his Daughter by his ſecond Wife *Conſtantia* of *Caſtile*, to *Henry* Son to the King of *Caſtile*, and reſign'd his Pretenſions to that Crown. The King on his part promis'd to pay the Duke the Sum of 600000 Livres, and a yearly Penſion of 40000 Livres,

K. of Portugal *marries the D. of* Lancaſter's *Daughter.*

The D's Reſignation of his Pretenſions to Caſtile.

Livres, during the Life of the Duke and his Ducheſs. *A.*1380.

THERE's a great Number of Acts in this Volume relating to *Caſtile*; but I paſs over the Majority, and ſhall only take notice of ſome which are of moſt importance.

1. THE Engagement enter'd into by *Ferdinand* King of *Portugal*, and his Queen *Eleanor*, for procuring the Supply which they deſir'd of *England*. It appears by this Act that they poſitively engag'd to give their Daughter *Beatrix* to the eldeſt Son of the Earl of *Cambridge*, and to ſecure the Crown of *Portugal* to that young Prince after their Deceaſe; 'tis dated *July* the 5th 1380. at *Eſtremos*. *K. of* Portugal's *Engagement to the E. of* Cambridge's *Son.* *P.* 262.

2. THE renewing of the Alliance betwixt *France* and *John* King of *Caſtile*, wherein it is ſtipulated that in caſe the Duke of *Lancaſter* be taken Priſoner by the *French*, he ſhall be deliver'd up to the King of *Caſtile*; dated *December* the 18th 1381. *Agreement betwixt the K's of* Fran. *and* Caſtile. *P.* 285.

3. A FULL Power granted by *Richard* to his Ambaſſadors to treat with *John* King of *Caſtile*; dated *April* the 1ſt 1383, at *Weſtminſter*. From thence it appears, that the King of *Caſtile* was afraid of the Succours which *Portugal* was like to have from the *Engliſh*. And the very next Act ſhews, that he had made ſome Advances towards an Accommodation with the *Engliſh*. *Negotiations with the K. of* Caſtile. *P.* 386.

4. CONVENTIONS between *Richard* II. and the Duke of *Lancaſter* as King of *Caſtile*, by which the Duke engages to make no Peace with the King of *Caſtile*, till the latter obliges himſelf to pay *Richard* 200000 Doublons of Gold, for the Damages done to the *Engliſh*, as he had already offer'd once before; dated *February* the 7th 1386, at *Weſtminſter*. *Betwixt K.* Rich. *and the D. of* Lanc. *P.* 495.

5. AN

Rich. II.

Bull against the Anti-Pope and the pretended K. of Caſt. *P.* 507.

5. AN Order for publiſhing a Bull of Pope *Urban* VI. in *England*, which granted Indulgences to thoſe who ſhould aſſiſt the Duke of *Lancaſter* in his Expedition againſt *John* the pretended King of *Caſtile*, and the Adherent of the Anti-Pope *Robert* of *Geneva* (*Clement* III.) dated at *Weſtminſter*, *April* the 11th 1386 *.

Alliance perpetual with Port. *P.* 515.

6. TREATY of perpetual Alliance betwixt *England* and *Portugal*; dated at *Windſor*, *May* the 9th 1386.

P. 524.

7. CONVENTIONS agreed upon as to the Succours which *England* was to ſend to the King of *Portugal*; dated as above.

Negotiations with Spain. *P.* 587.

8. *RICHARD*'s full Power and Inſtructions to the Duke of *Lancaſter*, to treat in his Name with the King of *Spain*; dated *June* the 1ſt 1388, at *Weſtminſter*.——The Duke of *Lancaſter* had then made his Treaty with the King of *Caſtile*.

Protection to the K. of Caſtile's *Hoſtages. P.* 603.

9. PROTECTION granted to the Hoſtages whom the King of *Caſtile* was to deliver up to the Duke of *Lancaſter*, and who were to remain in *England* as Security for the Performance of their Treaty; dated at *Weſtminſter*, *Auguſt* the 26th 1388.

* *Walſingham*, a *Benedictin* Monk belonging in theſe Days to the Abbey of *St. Albans*, ſays the Duke had got as large Indulgences as were granted to the Biſhop of *Norwich* in 1382. for his Croiſado againſt the ſaid Anti-Pope; but he obſerves that the frequency of granting ſuch Pardons and Relaxations had now render'd them vile and contemptible, ſo that ſcarce any body regarded them, or would give 2 *d.* towards this laſt Croiſado, tho they were ſo extravagantly fond of the former: which is a Leſſon, that a *Cheat, tho ever ſo religious, is not to be play'd over twice in one Age.*

BRITISH MUSEUM

The End of the Firſt Volume.

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